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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Report of the Third Committee (Part IV)*

Rapporteur: Mr. Ahmed Yousif MOHAMED (Sudan)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 22 September 1995, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fiftieth session the item entitled "Human rights questions: Human rights situations and reports of special rapporteurs and representatives" and to allocate it to the Third Committee.

2. The Committee considered the item jointly with sub-items (a), (b) (d) and (e) at its 35th and 38th to 51st meetings, on 21, 24 and 27 to 30 November and on 1 and 4 to 6 December 1995. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/50/SR.35 and 38-51). Action on sub-item (c) was taken at the 51st to 58th meetings, on 6, 8, 11, 13 and 14 December (see A/C.3/50/SR.51-58).

3. For the documents before the Committee under this item, see document A/50/635.

4. At the 38th meeting, on 24 November, the Assistant Secretary-General for Human Rights, Centre for Human Rights, made an introductory statement (see A/C.3/50/SR.38).

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* The report of the Committee on agenda item 112 will be issued in six parts under the symbol A/50/635 and Add.1-5.

5. At the same meeting, introductory statements were also made by the Special Rapporteurs of the Commission on Human Rights on the situation of human rights in Iraq, Afghanistan and the former Yugoslavia as well as by the Special Representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran (see A/C.3/50/SR.38).

6. Also at the same meeting, the representative of the Secretary-General on internally displaced persons, the Special Rapporteur on religious intolerance and the Independent Expert on Haiti also made introductory statements (see A/C.3/50/SR.38).

7. At the 39th meeting, on 27 November, the Special Representative of the Secretary-General on Cambodia made an introductory statement (see A/C.3/50/SR.39).

8. At the same meeting, the Special Rapporteurs of the Commission on Human Rights on the situation of human rights in Myanmar, the Sudan, Rwanda and Cuba made introductory statements (see A/C.3/50/SR.39).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.3/50/L.35

9. At the 53rd meeting, on 11 December, the representative of Spain, on behalf of Andorra, Australia, Belgium, Canada, the Czech Republic, Denmark, Finland, France, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Monaco, the Netherlands, Norway, Portugal, San Marino, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America, introduced a draft resolution entitled "Situation of human rights in the Islamic Republic of Iran" (A/C.3/50/L.35).

10. At the 55th meeting, on 13 December, before the adoption of the draft resolution, the representatives of the Islamic Republic of Iran, Algeria and Qatar made statements (see A/C.3/50/SR.55).

11. At the same meeting, the Committee adopted draft resolution A/C.3/50/L.35, by a recorded vote of 74 to 26, with 49 abstentions (see para. 76, draft resolution I). The voting was as follows:

In favour: Algeria, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Belize, Bolivia, Botswana, Brazil, Bulgaria, Canada, Chile, Costa Rica, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Peru, Poland, Portugal, Romania, Russian Federation, Samoa, San Marino, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Swaziland,

Sweden, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Zambia.

Against: Afghanistan, Armenia, Azerbaijan, Bangladesh, Brunei Darussalam, China, Cuba, Democratic People's Republic of Korea, Gambia, Ghana, India, Indonesia, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Malaysia, Maldives, Myanmar, Nigeria, Oman, Pakistan, Qatar, Sri Lanka, Sudan, Syrian Arab Republic, United Republic of Tanzania, Viet Nam.

Abstaining: Albania, Angola, Bahrain, Belarus, Benin, Bhutan, Burkina Faso, Cambodia, Cameroon, Cape Verde, Colombia, Congo, Côte d'Ivoire, Cyprus, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Guatemala, Guinea, Guinea-Bissau, Jordan, Kazakstan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Mali, Mauritania, Mozambique, Namibia, Nepal, Niger, Philippines, Republic of Korea, Republic of Moldova, Saudi Arabia, Sierra Leone, Singapore, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tunisia, Uganda, Ukraine, United Arab Emirates, Uruguay, Zimbabwe.

B. Draft resolution A/C.3/50/L.41

12. At the 52nd meeting, on 8 December, the Chairman of the Committee introduced a draft resolution entitled "Situation of human rights in Afghanistan (A/C.3/50/L.41).

13. At the 54th meeting, on 11 December, the Secretary of the Committee read out revisions to the draft resolution as follows:

(a) The eighth preambular paragraph, which had read:

"Concerned, in particular, at the situation of women and children, especially regarding access to basic education for girl children and access by women to employment, training and their effective participation in the political and cultural life throughout the country",

was replaced with the following:

"Concerned, in particular, at reports of abuses and violations of the human rights of women, including acts of violence, and denial of access to primary and basic education, training and employment, affecting their effective participation in political and cultural life throughout the country",

(b) A new operative paragraph 5 was inserted as follows:

"5. Calls for the unconditional and simultaneous release of all prisoners of war, wherever they may be held, including former Soviet

prisoners of war, and for the tracing of the many Afghans still missing as a result of the war".

14. At the same meeting, the Committee adopted draft resolution A/C.3/50/L.41, as orally revised (see para. 76, draft resolution II).

C. Draft resolution A/C.3/50/L.43

15. At the 51st meeting, on 6 December, the representative of Albania, on behalf of Afghanistan, Albania, Andorra, Austria, Bangladesh, Bosnia and Herzegovina, Canada, Chile, Denmark, Djibouti, Egypt, Finland, Germany, Iceland, Ireland, Italy, Jordan, Kuwait, Kyrgyzstan, Liechtenstein, Luxembourg, Malaysia, Monaco, Morocco, the Netherlands, Norway, Pakistan, Portugal, Qatar, Saudi Arabia, Sweden, Tunisia, Turkey, the United Arab Emirates and the United States of America, introduced a draft resolution entitled "Situation of human rights in Kosovo" (A/C.3/50/L.43). Subsequently, Belgium, Croatia and Senegal joined in sponsoring the draft resolution.

16. At the 54th meeting, on 11 December, the Committee adopted draft resolution A/C.3/50/L.43 by a recorded vote of 107 to 2, with 35 abstentions (see para. 76, draft resolution III). The voting was as follows: 1/

In favour: Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Cambodia, Canada, Cape Verde, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Germany, Guatemala, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Jordan, Kazakstan, Kuwait, Kyrgyzstan, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Samoa, San Marino, Saudi Arabia, Senegal, Slovenia, Solomon Islands, South Africa, Spain, Sudan, Suriname, Sweden, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan.

Against: India, Russian Federation.

1/ The representative of the Philippines indicated that his vote should have been recorded as an abstention.

Abstaining: Barbados, Bhutan, Botswana, Burkina Faso, Cameroon, China, Congo, Côte d'Ivoire, Gabon, Gambia, Ghana, Greece, Guinea, Jamaica, Kenya, Lesotho, Malawi, Myanmar, Namibia, Nepal, Nigeria, Peru, Republic of Moldova, Romania, Singapore, Sri Lanka, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Uganda, Ukraine, United Republic of Tanzania, Venezuela, Zimbabwe.

17. Before the adoption of the draft resolution, statements were made by the representatives of Greece, the Russian Federation and India; after the adoption of the draft resolution, statements were made by the representatives of Peru, the Philippines, Brazil, China and Venezuela (see A/C.3/50/SR.54).

D. Draft resolution A/C.3/50/L.44

18. At the 53rd meeting, on 11 December, the representative of Spain, on behalf of Andorra, Argentina, Australia, Austria, Belgium, Canada, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kuwait, Liechtenstein, Luxembourg, Monaco, the Netherlands, Norway, Poland, Portugal, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America, introduced a draft resolution entitled "Situation of human rights in Iraq" (A/C.3/50/L.44).

19. At the same meeting, the representative of Spain orally revised the draft resolution as follows:

(a) In the eighth preambular paragraph, the words "687 (1991) of 3 April 1991" was inserted after the words "Recalling Security Council resolutions";

(b) In the thirteenth preambular paragraph, the words "and detained" were inserted after the words "persons missing";

(c) Operative paragraph 11, which had read:

"Also urges the Government of Iraq to improve its cooperation with the Tripartite Commission with a view to establishing the whereabouts or resolve the fates of the remaining several hundred Kuwaitis and third-country nationals who disappeared under the illegal Iraqi occupation of Kuwait",

was replaced with the following:

"11. Also urges the Government of Iraq to improve its cooperation with the Tripartite Commission with a view to establishing the whereabouts or resolving the fates of the remaining several hundred missing persons and prisoners of war, Kuwaitis and third-country nationals, victims of the illegal Iraqi occupation of Kuwait".

20. At its 56th meeting, on 13 December, the Committee adopted draft resolution A/C.3/50/L.44, as orally revised, by a recorded vote of 104 to 4, with 49

abstentions (see para. 76, draft resolution IV). The voting was as follows: 2/

In favour: Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cambodia, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Haiti, Honduras, Hungary, Iceland, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Kazakstan, Kuwait, Kyrgyzstan, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Swaziland, Sweden, Syrian Arab Republic, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela, Zambia.

Against: Gambia, Libyan Arab Jamahiriya, Nigeria, Sudan.

Abstaining: Afghanistan, Algeria, Angola, Bahrain, Bangladesh, Benin, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Chad, China, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Guatemala, Guinea-Bissau, India, Indonesia, Jordan, Kenya, Lao People's Democratic Republic, Lesotho, Malaysia, Mali, Mauritania, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Pakistan, Philippines, Sri Lanka, Thailand, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zimbabwe.

21. After the adoption of the draft resolution, statements were made by the representatives of the Syrian Arab Republic and Egypt (see A/C.3/50/SR.56).

E. Draft resolution A/C.3/50/L.45

22. At the 53rd meeting, on 11 December, the representative of Bosnia and Herzegovina, on behalf of Afghanistan, Albania, Algeria, Andorra, Argentina, Australia, Austria, Bahrain, Bangladesh, Belgium, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Canada, Chile, Costa Rica, Croatia, Czech Republic, Denmark, Djibouti, Egypt, Finland, France, Gabon, Germany,

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2/ The representative of Belarus indicated that his vote should have been recorded as an abstention.

Greece, Guyana, Hungary, Iceland, the Islamic Republic of Iran, Ireland, Israel, Italy, Japan, Jordan, Kuwait, Latvia, Liechtenstein, Luxembourg, Malaysia, Malta, Monaco, Morocco, the Netherlands, Norway, Oman, Pakistan, Portugal, Qatar, the Republic of Korea, Rwanda, San Marino, Saudi Arabia, Senegal, Singapore, Slovenia, Spain, Sweden, Tunisia, Turkey, the United Arab Emirates, the United States of America, Uruguay and Yemen introduced a draft resolution entitled "Rape and abuse of women in the areas of armed conflict in the former Yugoslavia" (A/C.3/50/L.45). Subsequently, Burundi, Cambodia, the Gambia, New Zealand, the Philippines, the former Yugoslav Republic of Macedonia and the United Kingdom of Great Britain and Northern Ireland, joined in sponsoring the draft resolution.

23. At the same meeting, the representative of Bosnia and Herzegovina orally revised the draft resolution by inserting, in operative paragraph 12, the words "as appropriate, to the General Assembly at its fifty-first session" between the words "submit a report" and "on the implementation of the present resolution".

24. At its 56th meeting, on 13 December, following a statement by the representative of the Russian Federation (see A/C.3/50/SR.56), the Committee voted on the sixth preambular paragraph of the draft resolution, which was adopted by a recorded vote of 133 to 1, with 11 abstentions. The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cambodia, Canada, Cape Verde, Chad, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Estonia, Fiji, Finland, France, Gambia, Georgia, Germany, Greece, Guinea, Guyana, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakstan, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Rwanda, Samoa, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela, Yemen.

Against: Russian Federation.

Abstaining: Angola, Cameroon, China, Ethiopia, Ghana, India, Kenya, Thailand, Togo, United Republic of Tanzania, Zimbabwe.

25. At the same meeting, the Committee adopted draft resolution A/C.3/50/L.45, as orally revised, without a vote (see para. 76, draft resolution V).

F. Draft resolution A/C.3/50/L.46

26. At the 52nd meeting, on 8 December, the representative of the United States of America, on behalf of Afghanistan, Albania, Andorra, Australia, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, the Czech Republic, Denmark, Egypt, Finland, France, Germany, Hungary, Iceland, Ireland, Israel, Italy, Jordan, Kuwait, Liechtenstein, Luxembourg, Malaysia, Morocco, the Netherlands, Norway, Pakistan, Portugal, Senegal, Slovenia, Spain, Sweden, Tunisia, Turkey and the United States of America, introduced a draft resolution entitled "Situation of human rights in the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro)" (A/C.3/50/L.46). Subsequently, Saudi Arabia joined in sponsoring the draft resolution.

27. At the same meeting, the representative of the United States of America orally revised the draft resolution as follows:

(a) The fifteenth preambular paragraph, which had read:

> "Welcoming all reconstruction efforts, in particular those of the European Union, inter alia, promoting respect for human rights and fundamental freedoms, and endorsing the Special Rapporteur's recommendation that economic and other aid must be made conditional upon meaningful progress in human rights",

was replaced with the following:

> "Welcoming the efforts of the European Union to promote respect for human rights and fundamental freedoms, and endorsing the Special Rapporteur's recommendation that economic and other aid must be made conditional upon meaningful progress in human rights";

(b) In operative paragraph 12, the words "Expresses its complete support for the victims of human rights violations" were replaced with the words "Expresses its complete support for the victims of violations of human rights and international humanitarian law";

(c) In operative paragraph 19, the words "including to account for the fate of the two missing French pilots and to ensure their immediate return" were deleted;

(d) A new operative paragraph was inserted after operative paragraph 19, as follows:

"Urges all parties concerned, in conformity with their commitment to do so, to take the necessary steps to account for the fate of the two missing French pilots in the Republic of Bosnia and Herzegovina and to ensure their safe and immediate return".

28. At the 58th meeting, on 14 December, the representative of the United States of America further orally revised the draft resolution by deleting the new operative paragraph that had been inserted after operative paragraph 19.

29. At the same meeting, the Committee adopted draft resolution A/C.3/50/L.46, as orally revised, by a recorded vote of 124 to 1, with 18 abstentions (see para. 76, draft resolution VI). The voting was as follows: 3/

In favour: Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Canada, Cape Verde, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakstan, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela.

Against: Russian Federation.

Abstaining: Angola, Belarus, Burkina Faso, China, Congo, Côte d'Ivoire, Ethiopia, Gambia, Greece, India, Kenya, Mozambique, Namibia, Nigeria, Togo, Ukraine, United Republic of Tanzania, Zimbabwe.

30. Before the adoption of the draft resolution, statements were made by the representatives of South Africa, Greece and the Russian Federation; after the

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3/ The representatives of Morocco and Uganda indicated that their votes had not been recorded but should have been recorded as in favour.

adoption of the draft resolution, the representative of Croatia made a statement (see A/C.3/50/SR.58).

G. Draft resolution A/C.3/50/L.52

31. At the 52nd meeting, on 8 December, the representative of Sweden, on behalf of Andorra, Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, the Netherlands, Norway, Panama, Portugal, the Republic of Moldova, Romania, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution entitled "Situation of human rights in Myanmar" (A/C.3/50/L.52).

32. At the same meeting, the representative of Sweden orally revised the draft resolution by inserting a new preambular paragraph after the sixth preambular paragraph, reading:

> "Noting recent developments regarding the composition of the National Convention".

33. At the 54th meeting, on 11 December, statements were made by the representatives of Myanmar, the United States of America and Yemen (see A/C.3/50/SR.54).

34. At the same meeting, the Committee adopted draft resolution A/C.3/50/L.52, as orally revised (see para. 76, draft resolution VII).

H. Draft resolution A/C.3/50/L.54

35. At the 54th meeting, on 11 December, the representative of Norway, on behalf of Afghanistan, Argentina, Australia, Austria, Azerbaijan, Benin, Bosnia and Herzegovina, Botswana, Canada, Chile, Cyprus, the Czech Republic, Denmark, El Salvador, Ethiopia, Finland, France, the Gambia, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Italy, Mozambique, Norway, Peru, the Philippines, Poland, Portugal, Slovakia, Slovenia, Sweden and Zambia, introduced a draft resolution entitled "Protection of and assistance to internally displaced persons" (A/C.3/50/L.54). Subsequently, Albania, Angola, Burundi, Cambodia, the Congo, Costa Rica, Côte d'Ivoire, Croatia, Equatorial Guinea, the Gambia, Ireland, Liberia, Malta, Monaco, Nicaragua, the Republic of Korea, the Republic of Moldova, San Marino, Sierra Leone and Uganda joined in sponsoring the draft resolution.

36. At the same meeting, the representative of Norway orally revised operative paragraph 8 of the draft resolution by deleting the words "such as a declaration for internally displaced persons" after the words "framework in this regard".

37. At the 56th meeting, on 13 December, the representative of Norway further orally revised the draft resolution as follows:

(a) In the seventh preambular paragraph, the words "Encouraged by" were replaced with the word "Noting";

(b) In operative paragraph 3, the word "legal" between the words "develop a" and "framework" was deleted;

(c) In operative paragraph 6, the words "with the approval of Governments" were inserted between the words "invite" and "specialists" and the words "to make use of" were inserted before the words "research facilities".

38. At the same meeting, the Committee adopted draft resolution A/C.3/50/L.54, as orally revised (see para. 76, draft resolution VIII).

I. Draft resolution A/C.3/50/L.56

39. At the 52nd meeting, on 8 December, the representative of Venezuela, on behalf of Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Barbados, Belgium, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Congo, Costa Rica, Cuba, Denmark, Ecuador, El Salvador, Finland, France, Georgia, Germany, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Israel, Italy, Jamaica, Japan, Luxembourg, Mexico, the Netherlands, Nicaragua, Norway, Panama, Paraguay, Peru, Portugal, Spain, Suriname, Sweden, Trinidad and Tobago, the United States of America, Uruguay and Venezuela, introduced a draft resolution entitled "Human rights in Haiti" (A/C.3/50/L.56). Subsequently, the Republic of Moldova joined in sponsoring the draft resolution.

40. At the same meeting, the representative of Venezuela corrected the draft resolution by reversing the order of operative paragraphs 6 and 7.

41. At the 53rd meeting, on 11 December, the Committee adopted draft resolution A/C.3/50/L.56, as corrected (see para. 76, draft resolution IX).

J. Draft resolution A/C.3/50/L.58

42. At the 53rd meeting, on 11 December, the representative of the United States of America, on behalf of Andorra, Argentina, Australia, Belgium, Bulgaria, Canada, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, the Netherlands, Norway, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America, introduced a draft resolution entitled "Situation of human rights in the Sudan" (A/C.3/50/L.58). Subsequently, Austria, Liechtenstein, Monaco and Portugal joined in sponsoring the draft resolution.

43. At the same meeting, the representative of the Sudan made a statement (see A/C.3/50/SR.53).

44. At the 56th meeting, on 13 December, following a statement by the representative of the Sudan (see A/C.3/50/SR.56), the Committee voted on

operative paragraph 2 of the draft resolution, which was adopted by a recorded vote of 83 to 14, with 44 abstentions. The voting was as follows:

In favour: Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Bolivia, Botswana, Brazil, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guyana, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Kazakstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Namibia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Sweden, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Zambia, Zimbabwe.

Against: China, Cuba, Democratic People's Republic of Korea, India, Indonesia, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Mauritania, Myanmar, Nigeria, Pakistan, Saudi Arabia, Sudan, Syrian Arab Republic.

Abstaining: Algeria, Angola, Bahamas, Bangladesh, Barbados, Belize, Benin, Bhutan, Brunei Darussalam, Burundi, Cameroon, Cape Verde, Chad, Colombia, Congo, Ecuador, Egypt, Equatorial Guinea, Gambia, Ghana, Guatemala, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Malaysia, Morocco, Nepal, Niger, Oman, Philippines, Qatar, Republic of Korea, Sri Lanka, Swaziland, Thailand, Togo, Tunisia, United Arab Emirates, Uzbekistan, Viet Nam.

45. At the same meeting, following a statement by the representative of the Sudan (see A/C.3/50/SR.56), the Committee voted on operative paragraph 4 of the draft resolution, which was adopted by a recorded vote of 86 to 16, with 40 abstentions. The voting was as follows:

In favour: Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Namibia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Slovakia, Slovenia, Solomon

Islands, South Africa, Spain, Suriname, Sweden, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Zambia, Zimbabwe.

Against: Afghanistan, China, Cuba, Egypt, India, Indonesia, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Mauritania, Myanmar, Pakistan, Qatar, Saudi Arabia, Sudan, Syrian Arab Republic, Viet Nam.

Abstaining: Algeria, Angola, Bangladesh, Belize, Bhutan, Brunei Darussalam, Burundi, Cameroon, Cape Verde, Chad, Colombia, Congo, Democratic People's Republic of Korea, Equatorial Guinea, Gambia, Ghana, Guatemala, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Malaysia, Morocco, Nepal, Niger, Oman, Philippines, Republic of Korea, Saint Kitts and Nevis, Singapore, Sri Lanka, Swaziland, Thailand, Tunisia, United Arab Emirates, Uzbekistan.

46. Also at the same meeting, following a statement by the representative of the Sudan (see A/C.3/50/SR.56), the Committee voted on operative paragraph 12 of the draft resolution, which was adopted by a recorded vote of 87 to 15, with 40 abstentions. The voting was as follows:

In favour: Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belarus, Belgium, Bolivia, Botswana, Brazil, Bulgaria, Cameroon, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guyana, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Namibia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Sweden, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Zambia, Zimbabwe.

Against: Afghanistan, China, Cuba, Democratic People's Republic of Korea, India, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Myanmar, Nigeria, Pakistan, Qatar, Saudi Arabia, Sudan, Syrian Arab Republic, Viet Nam.

Abstaining: Algeria, Angola, Bangladesh, Belize, Benin, Bhutan, Brunei Darussalam, Burundi, Cape Verde, Chad, Colombia, Egypt,

Equatorial Guinea, Gambia, Ghana, Guatemala, Indonesia, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Malaysia, Mauritania, Morocco, Nepal, Niger, Oman, Philippines, Republic of Korea, Saint Kitts and Nevis, Singapore, Sri Lanka, Swaziland, Thailand, Tunisia, United Arab Emirates.

47. After the adoption of operative paragraph 12, the representative of Egypt made a statement (see A/C.3/50/SR.56).

48. At the same meeting, the Committee adopted draft resolution A/C.3/50/L.58 by a recorded vote of 93 to 15, with 47 abstentions (see para. 76, draft resolution X). The voting was as follows:

In favour: Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belarus, Belgium, Belize, Bolivia, Botswana, Brazil, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Kazakstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Namibia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Saint Vincent and the Grenadines, Samoa, San Marino, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Sweden, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Zambia, Zimbabwe.

Against: Afghanistan, China, Cuba, India, Indonesia, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Myanmar, Nigeria, Pakistan, Qatar, Saudi Arabia, Sudan, Syrian Arab Republic, Viet Nam.

Abstaining: Algeria, Angola, Bahrain, Bangladesh, Benin, Bhutan, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Chad, Colombia, Congo, Côte d'Ivoire, Democratic People's Republic of Korea, Equatorial Guinea, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Malaysia, Maldives, Mali, Mauritania, Morocco, Mozambique, Nepal, Niger, Oman, Philippines, Republic of Korea, Saint Kitts and Nevis, Sri Lanka, Swaziland, Thailand, Togo, Tunisia, United Arab Emirates.

49. Before the draft resolution was adopted, statements were made by the representatives of the Sudan and Qatar; after the draft resolution was adopted,

statements were made by the representatives of Guatemala and the Russian Federation (see A/C.3/50/SR.56).

50. The representative of Iraq also made a statement (see A/C.3/50/SR.56).

K. Draft resolution A/C.3/50/L.60

51. At the 53rd meeting, on 11 December, the representative of the United States of America, on behalf of Australia, Belgium, Bulgaria, Canada, the Czech Republic, Denmark, Finland, France, Germany, Hungary, Iceland, Ireland, Israel, Japan, Luxembourg, the Marshall Islands, the Netherlands, Norway, Portugal, the Republic of Moldova, Romania, Sweden, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uzbekistan, introduced a draft resolution entitled "Situation of human rights in Cuba" (A/C.3/50/L.60). Subsequently, the former Yugoslav Republic of Macedonia joined in sponsoring the draft resolution.

52. At the same meeting, the representative of Cuba made a statement.

53. At the 56th meeting, on 13 December, statements were made by the representatives of Zambia and the Gambia (see A/C.3/50/SR.56).

54. At the same meeting, following a statement by the representative of Cuba, the Committee adopted draft resolution A/C.3/50/L.60 by a recorded vote of 62 to 23, with 73 abstentions (see para. 76, draft resolution XI). The voting was as follows: 4/

In favour: Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, Saudi Arabia, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, The former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uzbekistan.

Against: China, Cuba, Democratic People's Republic of Korea, Gambia, Ghana, India, Indonesia, Iran (Islamic Republic of), Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Myanmar, Namibia, Nigeria, Rwanda, South Africa, Sudan, Syrian

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4/ The delegation of Saint Lucia subsequently indicated that, had it been present during the voting, it would have abstained in the vote on the draft resolution.

Arab Republic, Uganda, United Republic of Tanzania, Viet Nam, Zambia, Zimbabwe.

Abstaining: Afghanistan, Algeria, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chad, Colombia, Congo, Côte d'Ivoire, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Jamaica, Jordan, Kazakstan, Kenya, Kyrgyzstan, Lebanon, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Nepal, Niger, Oman, Pakistan, Peru, Philippines, Qatar, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Sierra Leone, Singapore, Sri Lanka, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Tunisia, Ukraine, Uruguay, Venezuela.

55. After the draft resolution was adopted, statements were made by the representatives of Mexico, Brazil, Burundi and the Russian Federation (see A/C.3/50/SR.56).

56. The representative of Iraq also made a statement (see A/C.3/50/SR.56).

L. Draft resolution A/C.3/50/L.66

57. At the 54th meeting, on 11 December, the representative of Spain, on behalf of Albania, Andorra, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Bulgaria, Canada, Chile, the Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Haiti, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malta, the Marshall Islands, Monaco, the Netherlands, Norway, Panama, Poland, Portugal, the Republic of Moldova, Samoa, Slovenia, the Solomon Islands, South Africa, Spain, Suriname, Sweden, The former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay, introduced a draft resolution entitled "Situation of human rights in Nigeria" (A/C.3/50/L.66). Subsequently, Mali, Malawi, Peru, Slovakia and Uzbekistan joined in sponsoring the draft resolution.

58. At the 56th meeting, on 13 December, the representative of Iraq made a statement (see A/C.3/50/SR.56).

59. At the 57th meeting, on 14 December, the representative of Spain orally revised the draft resolution as follows:

(a) In the fourth preambular paragraph and in operative paragraphs 4 and 7, the words "democratic government" were replaced by the words "democratic rule";

(b) In operative paragraph 5, the words "and invites Member States in a position to do so to consider appropriate steps, consistent with international

law, for that specific purpose" were replaced by the words "and expresses the hope that these actions and other possible actions by other States, consistent with international law, will encourage the Government of Nigeria to achieve that specific purpose".

60. At the same meeting, the representative of the Gambia proposed to amend the draft resolution as follows:

(a) The fourth preambular paragraph would be replaced with the following text:

"Expressing concern that the absence of representative government may lead to violations of human rights and fundamental freedoms";

(b) At the end of the fifth preambular paragraph, the words "but disappointed that only limited action in this regard has followed" would be deleted;

(c) In the sixth preambular paragraph, the word "arbitrary" before the word "executions" would be deleted;

(d) In operative paragraph 1, the words "Condemns the arbitrary execution" would be replaced with the words "Regrets the execution".

61. The representative of Spain, on behalf of the sponsors, stated that he could not accept the proposed amendments. The representatives of the United States of America and Spain requested a vote on the proposed amendments. The representative of the Gambia made a statement (see A/C.3/50/SR.57).

62. A procedural discussion followed, in which statements were made by the representatives of Canada, Egypt, Algeria, Pakistan and Ireland, as well as by the Chairman of the Committee (see A/C.3/50/SR.57).

63. Following statements by the representatives of the United Kingdom of Great Britain and Northern Ireland, the Gambia and Burundi (see A/C.3/50/SR.57), the Committee voted on the proposed amendment to the fifth preambular paragraph, which was rejected by a recorded vote of 18 to 85, with 33 abstentions. The voting was as follows:

In favour: Algeria, Angola, Antigua and Barbuda, Belize, Chad, Djibouti, Egypt, Equatorial Guinea, Gambia, Indonesia, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Malaysia, Morocco, Myanmar, Niger, Sierra Leone, Togo.

Against: Albania, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belarus, Belgium, Bolivia, Brazil, Bulgaria, Cambodia, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Grenada, Guatemala, Guyana, Haiti, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malawi, Mali, Malta, Marshall Islands,

Mauritius, Monaco, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Sweden, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Zambia, Zimbabwe.

Abstaining: Afghanistan, Bangladesh, Benin, Bhutan, Botswana, Brunei Darussalam, Cameroon, Cape Verde, Colombia, India, Jamaica, Jordan, Kenya, Madagascar, Mexico, Mozambique, Namibia, Nepal, Nicaragua, Pakistan, Philippines, Republic of Korea, Rwanda, Saudi Arabia, Senegal, Singapore, Sri Lanka, Swaziland, Thailand, Tunisia, United Arab Emirates, United Republic of Tanzania, Venezuela.

64. At the same meeting, following statements by the representatives of Spain, the United Kingdom of Great Britain and Northern Ireland and Burundi (see A/C.3/50/SR.57), the Committee voted on the proposed amendments to the fourth and sixth preambular paragraphs and operative paragraph 1. The amendments were rejected by a recorded vote of 10 to 90, with 35 abstentions. The voting was as follows:

In favour: Algeria, Djibouti, Egypt, Equatorial Guinea, Gambia, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Niger, Sierra Leone, Togo.

Against: Albania, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belarus, Belgium, Bolivia, Brazil, Bulgaria, Cambodia, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Grenada, Guatemala, Guyana, Haiti, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malawi, Mali, Malta, Marshall Islands, Mauritius, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Sweden, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela, Zambia, Zimbabwe.

Abstaining: Afghanistan, Angola, Antigua and Barbuda, Bangladesh, Belize, Benin, Bhutan, Botswana, Brunei Darussalam, Cameroon, Cape Verde, Colombia, India, Indonesia, Jamaica, Jordan, Kenya, Madagascar, Malaysia, Mexico, Morocco, Namibia, Nepal,

Pakistan, Papua New Guinea, Rwanda, Saudi Arabia, Senegal, Singapore, Sri Lanka, Swaziland, Thailand, Tunisia, United Arab Emirates, United Republic of Tanzania.

65. Also at the same meeting, the representative of Nigeria made a statement (see A/C.3/50/SR.57) and moved for a vote on operative paragraphs 1, 5 and 6 and on the draft resolution as a whole.

66. The Chairman of the Committee made a statement (see A/C.3/50/SR.57).

67. Statements on the motion were made by the representatives of Ireland, Spain, the Gambia, Canada and the Niger (see A/C.3/50/SR.57).

68. The Committee rejected the motion proposed by the representative of Nigeria by a recorded vote of 32 to 80, with 30 abstentions. The voting was as follows:

In favour: Algeria, Angola, Belize, Benin, Burundi, Cape Verde, Chad, China, Colombia, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Equatorial Guinea, Gambia, India, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Malaysia, Mongolia, Morocco, Myanmar, Niger, Nigeria, Saint Lucia, Sierra Leone, Sri Lanka, Sudan, Togo, Trinidad and Tobago.

Against: Albania, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belarus, Belgium, Bolivia, Botswana, Bulgaria, Canada, Chile, Costa Rica, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Grenada, Guatemala, Haiti, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malawi, Mali, Malta, Marshall Islands, Monaco, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Sweden, The former Yugoslav Republic of Macedonia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela, Zambia, Zimbabwe.

Abstaining: Afghanistan, Antigua and Barbuda, Bangladesh, Bhutan, Brazil, Brunei Darussalam, Cambodia, Guyana, Indonesia, Jamaica, Jordan, Kenya, Madagascar, Mexico, Namibia, Nepal, Nicaragua, Pakistan, Papua New Guinea, Philippines, Republic of Korea, Saint Kitts and Nevis, Saudi Arabia, Senegal, Singapore, Swaziland, Thailand, Tunisia, United Arab Emirates, United Republic of Tanzania.

69. Following statements by the representatives of Burundi, Singapore, Algeria, Rwanda, Mexico and Papua New Guinea (see A/C.3/50/SR.57), the Committee adopted draft resolution A/C.3/50/L.66 as a whole, as orally revised, by a recorded vote

of 98 to 12, with 42 abstentions (see para. 76, draft resolution XII). The voting was as follows:

In favour: Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belarus, Belgium, Belize, Bolivia, Botswana, Brazil, Bulgaria, Cambodia, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Grenada, Guatemala, Guyana, Haiti, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Kazakstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malawi, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Sweden, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela, Zambia, Zimbabwe.

Against: Burundi, Chad, China, Gambia, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Myanmar, Niger, Nigeria, Sierra Leone, Sudan, Togo.

Abstaining: Afghanistan, Algeria, Angola, Bahrain, Bangladesh, Benin, Bhutan, Brunei Darussalam, Burkina Faso, Cameroon, Cape Verde, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Equatorial Guinea, Guinea, Guinea-Bissau, India, Indonesia, Jordan, Kenya, Lebanon, Madagascar, Malaysia, Morocco, Mozambique, Namibia, Pakistan, Papua New Guinea, Rwanda, Saudi Arabia, Senegal, Singapore, Sri Lanka, Swaziland, Thailand, Tunisia, United Arab Emirates, United Republic of Tanzania.

70. At the 58th meeting, on 14 December, statements in explanation of vote were made by the representatives of Myanmar, Colombia, Cuba and Mongolia (see A/C.3/50/SR.58).

71. At the same meeting, statements were made by the representatives of South Africa and the Sudan (see A/C.3/50/SR.58).

M. Draft resolution A/C.3/50/L.67

72. At the 55th meeting, on 13 December, the representative of Canada, on behalf of Albania, Andorra, Australia, Austria, Belgium, Benin, Bulgaria, Cambodia, Cameroon, Canada, Chile, Congo, the Czech Republic, Denmark, Finland, France, Gabon, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Liechtenstein, Luxembourg, Malawi, Malta, Monaco, the Netherlands, New Zealand,

Norway, Panama, Portugal, the Republic of Korea, Romania, Slovenia, Spain, Sweden, Tunisia and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution entitled "Situation of human rights in Rwanda" (A/C.3/50/L.67). Subsequently, the United States of America joined in sponsoring the draft resolution.

73. At the same meeting, the representative of Canada orally revised the draft resolution as follows:

(a) In the fourth preambular paragraph, the following words were added at the end of the paragraph:

"and that there are threats and violence against the physical integrity of individuals, arrest, detention and treatment and conditions of detention, which do not conform to international standards";

(b) The fifth preambular paragraph, which had read:

"Noting with concern the threats and violence against the physical integrity of individuals, including forced disappearances and torture, and the occurrence of arrest, detention and treatment and conditions of detention and executions that do not conform to international standards, as set out in the report of the Special Rapporteur of 28 June 1995",

was deleted;

(c) A new preambular paragraph was inserted after the eighth preambular paragraph, reading:

"Recognizing the valuable contribution that the human rights officers deployed by the United Nations High Commissioner for Human Rights to Rwanda have made towards the improvement of the overall situation";

(d) The twelfth preambular paragraph, which had read:

"Recalling Security Council resolution 997 (1995) of 9 June 1995, in which the Council renewed the mandate of the United Nations Assistance Mission for Rwanda to assist the Government of Rwanda in facilitating the voluntary and safe return of refugees, their reintegration in their home communities and, to that end, support the Government of Rwanda in its ongoing efforts to promote a climate of confidence and trust, to provide security and support for the distribution of relief supplies and humanitarian relief operations, to contribute to the security in Rwanda of personnel of the International Tribunal for Rwanda and human rights officers, and to assist in the training of an integrated police force",

was replaced with the following:

"Recalling Security Council resolution 1029 (1995) of 12 December 1995, in which the Council renewed the mandate of the United Nations Assistance Mission for Rwanda to exercise its good offices to assist in achieving the voluntary and safe repatriation of Rwandan refugees

within the framework of reference of the recommendations of the Bujumbura Conference and the Cairo Summit of the Heads of State of the Great Lakes Region, and in promoting genuine national reconciliation, to assist the Office of the United Nations High Commissioner for Refugees and other international agencies in the provision of logistical support for the repatriation of refugees, to contribute, with the agreement of the Government of Rwanda, to the protection of the International Tribunal for Rwanda as an interim measure until alternative arrangements agreed with the Government of Rwanda can be put in place";

(e) In the thirteenth preambular paragraph and in operative paragraph 5, the words "and other international staff" were inserted after the words "humanitarian organizations";

(f) Operative paragraph 12, which had read:

"12. Notes with deep concern the threats and violence against the physical integrity of individuals, including forced disappearances and torture, and the occurrence of arrest, detention and treatment and conditions of detention and executions that do not conform to international standards, as set out in the report of the Special Rapporteur in his report of 28 June 1995",

was replaced with the following:

"12. Notes with concern the arrest, detention and treatment and conditions of detention that do not conform to international standards, as set out in the report of the Special Rapporteur of 28 June 1995";

(g) A new operative paragraph was inserted following operative paragraph 12, which read:

"Further notes with concern that a situation still exists, evidenced by reports of threats and violence against the physical integrity of individuals, which is sometimes exacerbated by incursions";

(h) Operative paragraph 17 was moved to become new paragraph 14, with the following change: the words "International Commission of Inquiry established by the Security Council in its resolution 1013 (1995) of 7 September 1995" were replaced with the words "International Commission of Inquiry on arms flows in the Great Lakes region, established in pursuance of Security Council resolution 1013 (1995) of 7 September 1995".

74. At its 58th meeting, on 14 December, the Committee adopted draft resolution A/C.3/50/L.67, as orally revised (see para. 76, draft resolution XIII).

N. Draft decision

75. At its 58th meeting, on 14 December, on the proposal of the Chairman, the Committee adopted a draft decision by which the General Assembly would take note of two documents considered under the item (see para. 77).

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

76. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Situation of human rights in the Islamic Republic of Iran

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights 5/ and the International Covenants on Human Rights, 6/

Recalling the Vienna Declaration and Programme of Action, 7/ as endorsed by the General Assembly in its resolution 48/121 of 20 December 1993, in particular part I, paragraph 1, in which the World Conference on Human Rights reaffirmed, inter alia, that human rights and fundamental freedoms were the birthright of all human beings and that their protection and promotion was the first responsibility of Governments,

Reaffirming that all Member States have a duty to fulfil the obligations they have undertaken under the various international instruments in this field,

Mindful that the Islamic Republic of Iran is a party to the International Covenants on Human Rights,

Recalling Commission on Human Rights resolution 1984/54 of 14 March 1984, 8/ in which the Commission requested its Chairman to appoint a special representative to make a thorough study of the human rights situation in the Islamic Republic of Iran, based on such information as the Special Representative might deem relevant, including comments and material provided by the Government of the Islamic Republic of Iran,

Noting the appointment by the Chairman of the Commission on Human Rights of Professor Maurice Danby Copithorne as Special Representative of the Commission on the situation of human rights in the Islamic Republic of Iran, and paying tribute to his predecessor Professor Reinaldo Galindo Pohl,

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5/ Resolution 217 A (III).

6/ Resolution 2200 A (XXI), annex.

7/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

8/ Official Records of the Economic and Social Council, 1984, Supplement No. 4 (E/1984/14 and Corr.1), chap. II, sect. A.

Recalling its previous resolutions expressing concern at the violations of human rights by the Government of the Islamic Republic of Iran, including the most recent, resolution 49/202 of 23 December 1994, and the resolutions of the Commission on Human Rights, including the most recent, resolution 1995/68 of 8 March 1995, 9/ and of the Subcommission on Prevention of Discrimination and Protection of Minorities, including the most recent, resolution 1995/18 of 24 August 1995, 10/

Reaffirming that Governments are accountable for assassinations and attacks by their agents against persons in the territory of another State, as well as for the incitement, approval or wilful condoning of such acts,

Noting the Special Representative's view that the significant number of communications received by the Centre for Human Rights of the Secretariat for the attention of the Special Representative and the important concerns reflected therein will need careful scrutiny,

Welcoming the announcement by the Special Representative that he has been invited to visit the Islamic Republic of Iran and the high priority given by the Special Representative to visiting the country,

Noting the stated readiness of the Government of the Islamic Republic of Iran to invite the Special Rapporteur of the Commission on Human Rights on religious intolerance and the Special Rapporteur of the Commission on freedom of expression to visit the Islamic Republic of Iran,

Noting also the concluding observations of the Committee on the Elimination of Racial Discrimination, the Human Rights Committee and the Committee on Economic, Social and Cultural Rights on the human rights situation in the Islamic Republic of Iran,

Noting further that the Subcommission on Prevention of Discrimination and Protection of Minorities, in its resolution 1995/18, condemned the flagrant violations of human rights in the Islamic Republic of Iran,

Taking note of the interim report of the Special Representative of 20 October 1995, 11/ and his intention to present a substantive report to the Commission on Human Rights,

Taking into account the reports of the former Special Representative, including his report of 16 January 1995, 12/

9/ Ibid., 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

10/ See E/CN.4/1996/2.

11/ A/50/661.

12/ E/CN.4/1995/55.

Considering that continued international scrutiny of human rights and fundamental freedoms in the Islamic Republic of Iran is warranted and that the subject should remain on the agenda of the General Assembly,

1. Expresses its concern at violations of human rights in the Islamic Republic of Iran, in particular the high number of executions, cases of torture and cruel, inhuman or degrading treatment or punishment, the failure to meet international standards with regard to the administration of justice, the absence of guarantees of due process of law, the discriminatory treatment of minorities by reason of their religious beliefs, notably the Baha'is, whose existence as a viable religious community in the Islamic Republic of Iran is threatened, lack of adequate protection for the Christian minorities, some members of which have been the target of intimidation and assassinations, excessive force in suppressing demonstrations, restrictions on the freedom of expression, thought, opinion and the press and widespread discrimination against women;

2. Urges the Government of the Islamic Republic of Iran, as a State party to the International Covenants on Human Rights, to abide by its freely undertaken obligations under the Covenants and under other international instruments on human rights, and to ensure that all individuals within its territory and subject to its jurisdiction, including religious groups, enjoy the rights recognized in those instruments;

3. Calls upon the Government of the Islamic Republic of Iran to implement existing agreements with international humanitarian organizations;

4. Also calls upon the Government of the Islamic Republic of Iran to take the necessary steps so that the visit of the Special Representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran can take place as soon as possible and without conditions;

5. Expresses its grave concern that there are continuing threats to the life of Mr. Salman Rushdie, as well as to individuals associated with his work, which appear to have the support of the Government of the Islamic Republic of Iran;

6. Urges the Government of the Islamic Republic of Iran to refrain from activities against members of the Iranian opposition living abroad and to cooperate wholeheartedly with the authorities of other countries in investigating and punishing offences reported by them;

7. Requests the Secretary-General to give all necessary assistance to the Special Representative to enable him to discharge his mandate fully;

8. Decides to continue the examination of the situation of human rights in the Islamic Republic of Iran, including the situation of minority groups such as the Baha'is, during its fifty-first session under the item entitled "Human rights questions", on the basis of the report of the Special Representative and in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

DRAFT RESOLUTION II

Situation of human rights in Afghanistan

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, 13/ the International Covenants on Human Rights 14/ and accepted humanitarian rules, as set out in the Geneva Conventions of 12 August 1949 15/ and the Additional Protocols thereto, of 1977, 16/

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have freely undertaken under the various international instruments,

Recalling all its relevant resolutions, as well as the resolutions of the Commission on Human Rights and the decisions of the Economic and Social Council,

Also recalling, in particular, Commission on Human Rights resolution 1995/74 of 8 March 1995, 17/ in which the Commission decided to extend the mandate of the Special Rapporteur on the situation of human rights in Afghanistan for one year and requested him to consider submitting a report to the General Assembly at its fiftieth session, and Economic and Social Council decision 1995/285 of 25 July 1995, in which the Council approved the Commission's decision,

Noting that armed confrontation persists in certain parts of the territory of Afghanistan,

Aware that peace and security in Afghanistan are conducive to the full restoration of all human rights and fundamental freedoms, the voluntary return of refugees to their homeland in safety and dignity, the clearance of minefields in many parts of the country, and the reconstruction and rehabilitation of Afghanistan,

Deeply concerned at reports of human rights abuses and violations of humanitarian law and human rights, including the rights to life, to liberty and security of person and to freedom of opinion, expression and association,

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13/ Resolution 217 A (III).

14/ Resolution 2200 A (XXI), annex.

15/ United Nations, Treaty Series, vol. 75, Nos. 970-973.

16/ Ibid., vol. 1125, Nos. 17512 and 17513.

17/ See Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

Concerned, in particular, at reports of abuses and violations of the human rights of women, including acts of violence, and denial of access to primary and basic education, training and employment, affecting their effective participation in political and cultural life throughout the country,

Concerned that a unified judicial system cannot be established throughout the country under the prevailing circumstances,

Commending the activities carried out for the welfare of the Afghan people by various agencies and programmes of the United Nations and by the International Committee of the Red Cross and other humanitarian organizations,

Noting with satisfaction that the voluntary repatriation of the Afghan refugees has resumed,

Taking note with appreciation of the interim report of the Special Rapporteur on the situation of human rights in Afghanistan, 18/ of the conclusions and recommendations contained therein and of the translation of previous reports into the Dari and Pashtu languages,

1. Welcomes the cooperation that the Government and local authorities in Afghanistan have extended to the Special Rapporteur and to humanitarian agencies;

2. Urges all the Afghan parties to work with the United Nations Special Mission to Afghanistan with a view to achieving a comprehensive political solution leading to the cessation of armed confrontation and the eventual establishment of a democratic Government elected through free and fair elections based on the right to self-determination of the people of Afghanistan;

3. Recognizes that the promotion and protection of human rights should be an essential element in the achievement of a comprehensive solution to the crisis in Afghanistan, and therefore invites the Special Mission and the Special Rapporteur to exchange relevant information and to consult and cooperate with each other;

4. Urges all the Afghan parties to respect accepted humanitarian rules and all human rights and fundamental freedoms, including the rights of women and children, and calls upon the Afghan authorities to take measures to ensure the effective participation of women in social, political and cultural life throughout the country;

5. Calls for the unconditional and simultaneous release of all prisoners of war, wherever they may be held, including former Soviet prisoners of war, and for the tracing of the many Afghans still missing as a result of the war;

6. Calls upon the Afghan authorities to investigate thoroughly the fate of those persons who have disappeared during the conflict, to apply the Amnesty Decree issued in 1992 by the Transitional Islamic State of Afghanistan in a

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18/ A/50/567.

strictly non-discriminatory manner, to reduce the period during which prisoners await trial and to treat all suspected, convicted or detained persons according to relevant international instruments;

7. Urges the Afghan authorities to provide sufficient and effective remedies to the victims of grave violations of human rights and accepted humanitarian rules and to bring their perpetrators to trial in accordance with internationally accepted standards;

8. Appeals to Member States and to the international community to continue to provide adequate humanitarian assistance to the people of Afghanistan and to the Afghan refugees in the neighbouring countries pending their voluntary repatriation according to relevant international instruments, in particular through the support of activities such as mine detection and clearance and repatriation projects undertaken by the United Nations High Commissioner for Refugees, the Coordinator for Humanitarian and Economic Assistance Programmes Relating to Afghanistan and other United Nations agencies or non-governmental humanitarian organizations;

9. Strongly urges all parties to the conflict to take all necessary measures to ensure the safety of all personnel of humanitarian organizations and representatives of the media in Afghanistan;

10. Invites the United Nations to offer, upon the request of the Afghan authorities and with due regard for Afghan tradition, advisory services and technical assistance concerning the drafting of a constitution, which should embody internationally accepted human rights principles, and the holding of direct elections;

11. Encourages the United Nations Educational, Scientific and Cultural Organization to study, with the contribution of its competent committees, appropriate ways and means to restore the Afghan system of education and cultural heritage, in particular the restoration of the Kabul Museum;

12. Urges the Afghan authorities to continue to extend their full cooperation to the Commission on Human Rights and its Special Rapporteur;

13. Requests the Secretary-General to give all necessary assistance to the Special Rapporteur;

14. Decides to keep under consideration at its fifty-first session the situation of human rights in Afghanistan, in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

DRAFT RESOLUTION III

Situation of human rights in Kosovo

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, 19/ the International Covenants on Human Rights, 20/ the International Convention on the Elimination of All Forms of Racial Discrimination, 21/ the Convention on the Prevention and Punishment of the Crime of Genocide 22/ and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 23/

Welcoming the General Framework Agreement for Peace in Bosnia and Herzegovina 24/ reached on 21 November 1995 at Dayton, Ohio, and hoping that it will have a positive impact also on the human rights situation in Kosovo,

Recalling its resolution 49/204 of 23 December 1994, and other relevant resolutions,

Also recalling Commission on Human Rights resolution 1995/89 of 8 March 1995 and its previous resolutions 1992/S-1/1 of 14 August 1992, 1992/S-2/1 of 1 December 1992, 1993/7 of 23 February 1993 and 1994/76 of 9 March 1994,

Taking note of the reports of the Special Rapporteurs of the Commission on the situation of human rights in the territory of the former Yugoslavia, in which they describe the situation in Kosovo, the various discriminatory measures taken in the legislative, administrative and judicial areas, acts of violence and arbitrary arrests perpetrated against ethnic Albanians in Kosovo and the continuing deterioration of the human rights situation in Kosovo, including:

(a) Police brutality against ethnic Albanians, the killing of ethnic Albanians resulting from such violence, arbitrary searches, seizures and arrests, forced evictions, torture and ill-treatment of detainees and discrimination in the administration of justice, including the recent trials of ethnic Albanian former policemen;

19/ Resolution 217 A (III).

20/ Resolution 2200 A (XXI), annex.

21/ Resolution 2106 A (XX), annex.

22/ Resolution 260 A (III).

23/ Resolution 39/46, annex.

24/ See A/50/790-S/1995/999.

(b) Discriminatory and arbitrary dismissals of ethnic Albanian civil servants, notably from the ranks of the police and the judiciary, mass dismissals of ethnic Albanians, confiscation and expropriation of their properties, discrimination against ethnic Albanian pupils and teachers, the closing of Albanian-language secondary schools and university, as well as the closing of all Albanian cultural and scientific institutions;

(c) The harassment and persecution of political parties and associations of ethnic Albanians and their leaders and activities, their maltreatment and imprisonment;

(d) The intimidation and imprisonment of ethnic Albanian journalists and the systematic harassment and disruption of the news media in the Albanian language;

(e) The dismissals from clinics and hospitals of doctors and members of other categories of the medical profession of Albanian origin;

(f) The elimination in practice of the Albanian language, particularly in public administration and services;

(g) The serious and massive occurrence of discriminatory and repressive practices aimed at ethnic Albanians in Kosovo, as a whole, resulting in widespread involuntary migration; and noting also that the Subcommission on Prevention of Discrimination and Protection of Minorities, in its resolutions 1993/9 of 20 August 1993 and 1995/10 of 18 August 1995, considered that those measures and practices constituted a form of ethnic cleansing;

Concerned at any attempt to use Serb refugees and other means to alter the ethnic balance in Kosovo, thus further suppressing the enjoyment of human rights there, and in this context noting with concern the new citizenship law awaiting approval by the Parliament of the Federal Republic of Yugoslavia (Serbia and Montenegro),

Reaffirming that the long-term mission of the Organization for Security and Cooperation in Europe to Kosovo played a positive role in monitoring the human rights situation and in preventing an escalation of conflict there, and recalling in this context Security Council resolution 855 (1993) of 9 August 1993,

Considering that the re-establishment of the international presence in Kosovo to monitor and investigate the situation of human rights is of great importance in preventing the situation in Kosovo from deteriorating into violent conflict, and, in this context, taking note of the report of the Secretary-General submitted pursuant to General Assembly resolution 49/204, 25/

1. Strongly condemns the measures and practices of discrimination and the violations of the human rights of ethnic Albanians in Kosovo committed by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro);

25/ A/50/767.

2. Condemns the large-scale repression by the police and military of the Federal Republic of Yugoslavia (Serbia and Montenegro) against the defenceless ethnic Albanian population and the discrimination against the ethnic Albanians in the administrative and judiciary branches of government, education, health care and employment aimed at forcing ethnic Albanians to leave;

3. Urgently demands that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro):

(a) Take all necessary measures to bring to an immediate end all human rights violations against ethnic Albanians in Kosovo, including, in particular, the discriminatory measures and practices, arbitrary searches and detention, the violation of the right to a fair trial and the practice of torture and other cruel, inhuman or degrading treatment, and to revoke all discriminatory legislation, in particular that which has entered into force since 1989;

(b) Release all political prisoners and cease the persecution of political leaders and members of local human rights organizations;

(c) Allow the establishment of genuine democratic institutions in Kosovo, including the parliament and the judiciary, and respect the will of its inhabitants as the best means of preventing the escalation of the conflict there;

(d) Abrogate the official settlement policy as far as it is conducive to the heightening of ethnic tensions in Kosovo;

(e) Reopen the cultural and scientific institutions of the ethnic Albanians;

(f) Pursue dialogue with the representatives of ethnic Albanians in Kosovo, including under the auspices of the International Conference on the Former Yugoslavia;

4. Demands again that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) cooperate fully and immediately with the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the territory of the former Yugoslavia in the discharge of her functions, as requested by the Commission by its resolution 1994/76 and other relevant resolutions;

5. Encourages the Secretary-General to pursue his humanitarian efforts in the former Yugoslavia, in liaison with the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund and other appropriate humanitarian organizations, with a view to taking urgent practical steps to tackle the critical needs of the people in Kosovo, especially of the most vulnerable groups affected by the conflict, and to assist in the voluntary return of displaced persons to their homes;

6. Urges the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to allow the immediate unconditional return of the long-term

mission of the Organization for Security and Cooperation in Europe to Kosovo, called for in Security Council resolution 855 (1993);

7. Welcomes the report of the Secretary-General submitted pursuant to General Assembly resolution 49/204;

8. Requests the Secretary-General to continue to seek ways and means, including through consultations with the United Nations High Commissioner for Human Rights and relevant regional organizations, to establish an adequate international monitoring presence in Kosovo, and to report thereon to the General Assembly at its fifty-first session;

9. Emphasizes the importance of laws and regulations concerning citizenship applied by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) being in accordance with the standards and principles of non-discrimination, equal protection before the law and the reduction and avoidance of statelessness as set out in the relevant international human rights instruments;

10. Calls upon the Special Rapporteur to continue to monitor closely the situation of human rights in Kosovo and to continue to pay due attention to this matter in her reporting;

11. Decides to continue examination of the human rights situation in Kosovo at its fifty-first session under the item entitled "Human rights questions".

DRAFT RESOLUTION IV

Situation of human rights in Iraq

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights 26/ and the International Covenants on Human Rights, 27/

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and the duty to fulfil the obligations they have undertaken under the various international instruments in this field,

Mindful that Iraq is a party to the International Covenants on Human Rights and to other international human rights instruments,

Recalling its resolution 49/203 of 23 December 1993, in which it expressed its strong condemnation of the massive violations of human rights of the gravest nature in Iraq,

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26/ Resolution 217 A (III).

27/ Resolution 2200 A (XXI), annex.

Recalling also Commission on Human Rights resolution 1991/74 of 6 March 1991, by which the Commission requested its Chairman to appoint a Special Rapporteur to make a thorough study of the violations of human rights by the Government of Iraq, based on all information the Special Rapporteur might deem relevant, including information provided by intergovernmental and non-governmental organizations and any comments and material provided by the Government of Iraq,

Recalling further the pertinent resolutions of the Commission on Human Rights condemning the flagrant violations of human rights by the Government of Iraq, including the most recent, resolution 1995/76 of 8 March 1995, 28/ by which the Commission extended the mandate of the Special Rapporteur for a further year and requested him to submit an interim report to the General Assembly at its fiftieth session and a final report to the Commission at its fifty-second session,

Bearing in mind Security Council resolution 688 (1991) of 5 April 1991, in which the Council demanded an end to the repression of the Iraqi civilian population and insisted that Iraq cooperate with humanitarian organizations and ensure that the human and political rights of all Iraqi citizens were respected,

Recalling Security Council resolutions 687 (1991) of 3 April 1991, 706 (1991) of 15 August 1991, 712 (1991) of 19 September 1991 and 778 (1992) of 2 October 1992,

Recalling also Security Council resolution 986 (1995) of 14 April 1995, by which the Council authorized States to permit imports of Iraqi oil up to the amount of one billion United States dollars every ninety days, on a renewable basis, to be used to purchase essential food and medical supplies for humanitarian purposes,

Deeply concerned by the persisting massive and grave violations of human rights by the Government of Iraq, regarding which there are no signs of improvement, such as summary and arbitrary executions, the enactment and implementation of decrees prescribing cruel and inhuman punishments, torture and other cruel, inhuman or degrading treatment, arbitrary arrests and detentions, lack of due process, non-respect for the rule of law and the suppression of freedom of thought, of expression and of association, as well as the persistence of specific discrimination within the country as regards access to food and health care, which amounts to a violation of the economic and social rights of Iraqis,

Deeply disturbed by the observation by the Special Rapporteur that Iraqi armed forces have continued their attacks on the farming communities throughout the region adjoining northern Iraq and in the south of the country, resulting in the destruction of their crops and livestock,

Deeply disturbed also by reports about the climate of oppression and the dire economic and social situation in the south of Iraq,

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28/ See Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

Noting the responsibility of the Iraqi authorities with regard to persons missing and detained as a result of the Iraqi occupation of Kuwait, and also noting that Iraq has recently renewed its participation in the Tripartite Commission established pursuant to the cease-fire agreement of 1991,

Deploring the refusal of the Government of Iraq to cooperate with the United Nations human rights mechanisms, in particular by receiving a return visit of the Special Rapporteur to Iraq and allowing the stationing of human rights monitors throughout Iraq pursuant to the relevant resolutions of the General Assembly and the Commission on Human Rights,

1. Takes note with appreciation of the interim report on the situation of human rights in Iraq 29/ submitted by the Special Rapporteur of the Commission on Human Rights and the observations, conclusions and recommendations contained therein;

2. Expresses its strong condemnation of the massive and extremely grave violations of human rights for which the Government of Iraq is responsible, resulting in an all-pervasive order of repression and oppression which is sustained by broad-based discrimination and widespread terror;

3. Expresses its condemnation with regard to the violations of human rights and international humanitarian law, in particular of:

(a) Summary and arbitrary executions, including political killings;

(b) The widespread routine practice of systematic torture in its most cruel forms;

(c) The enactment and implementation of decrees prescribing cruel and unusual punishment, namely mutilation, as a penalty for certain offences and the abuse and diversion of medical-care services for the purpose of such mutilations;

(d) Enforced or involuntary disappearances, routinely practised arbitrary arrests and detention and consistent and routine failure to respect due process and the rule of law;

(e) Suppression of freedom of thought, information, expression, association and assembly, through fear of arrest, imprisonment and other sanctions, including the death penalty, as well as harsh limitations to freedom of movement;

4. Urges the Government of Iraq to cooperate with the United Nations with a view to arranging for the export of oil in order to purchase essential food and medical supplies for humanitarian purposes, as authorized by the Security Council in resolution 986 (1995);

5. Strongly condemns the continued refusal of the Government of Iraq to take advantage of resources available to alleviate the suffering of the people,

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29/ A/50/734.

which includes long-term disabilities of millions of people and the death of many thousands more;

6. Again expresses its special alarm at the policies of the Government of Iraq, which discriminate between regions and prevent the equitable enjoyment of basic foodstuffs and medical supplies, and calls upon Iraq, which has sole responsibility in this regard, to take steps to cooperate with international humanitarian agencies in the provision of relief to those in need throughout Iraq;

7. Calls once again upon Iraq, as a State party to the International Covenant on Economic, Social and Cultural Rights and to the International Covenant on Civil and Political Rights, to abide by its freely undertaken obligations under the Covenants and under other international instruments on human rights, and particularly to respect and ensure the rights of all individuals, irrespective of their origin, within its territory and subject to its jurisdiction;

8. Demands that the Government of Iraq restore the independence of the judiciary and abrogate all laws granting impunity to specified forces or persons killing or injuring individuals for any purpose beyond the administration of justice under the rule of law as prescribed by international standards;

9. Also demands that the Government of Iraq abrogate any and all decrees that prescribe cruel and inhuman punishment or treatment and take every step necessary to ensure that the practice of torture and cruel and unusual punishments and treatment no longer occur;

10. Urges the Government of Iraq to abrogate all laws and procedures, including Revolution Command Council Decree No. 840, of 4 November 1986, that penalize the free expression of competing views and ideas, and to ensure that the genuine will of the people shall be the basis of authority in the State;

11. Also urges the Government of Iraq to improve its cooperation with the Tripartite Commission with a view to establishing the whereabouts or resolving the fates of the remaining several hundred missing persons and prisoners of war, Kuwaitis and third-country nationals victims of the illegal Iraqi occupation of Kuwait;

12. Requests the Secretary-General to provide the Special Rapporteur with all necessary assistance in carrying out his mandate and to approve the allocation of sufficient human and material resources for the sending of human rights monitors to such locations as would facilitate improved information flow and assessment and help in the independent verification of reports on the situation of human rights in Iraq;

13. Decides to continue its consideration of the situation of human rights in Iraq during its fifty-first session under the item entitled "Human rights questions", in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

DRAFT RESOLUTION V

Rape and abuse of women in the areas of armed conflict in the former Yugoslavia

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, 30/ the International Covenants on Human Rights, 31/ the Convention on the Prevention and Punishment of the Crime of Genocide, 32/ the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 33/ the Convention on the Elimination of All Forms of Discrimination against Women, 34/ the Convention on the Rights of the Child 35/ and instruments of human rights and international humanitarian law, including the Geneva Conventions of 12 August 1949 36/ and the Additional Protocols thereto, of 1977, 37/

Recalling its resolution 3074 (XXVIII) of 3 December 1973, entitled "Principles of international cooperation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity", as well as Commission on Human Rights resolution 1994/77 of 9 March 1993, General Assembly resolutions 48/143 of 20 December 1993 and 49/205 of 23 December 1994, and relevant resolutions of the Commission on the Status of Women,

Reaffirming the relevant Security Council resolutions, in particular resolution 798 (1992) of 18 December 1992, in which, inter alia, the Council strongly condemned those acts of unspeakable brutality,

Welcoming the initialling of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto 38/ by the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) and other parties thereto at Dayton, Ohio, on 21 November 1995,

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30/ Resolution 217 A (III).

31/ Resolution 2200 A (XXI), annex.

32/ Resolution 260 A (III).

33/ Resolution 39/46, annex.

34/ Resolution 34/180, annex.

35/ Resolution 44/25, annex.

36/ United Nations, Treaty Series, vol. 75, Nos. 970-973.

37/ Ibid., vol. 1125, Nos. 17512 and 17513.

38/ See A/50/770-S/1995/999.

Noting with deep concern all reports of the Special Rapporteur on the situation of human rights in the territory of the former Yugoslavia, regarding rape and abuse of women in the territory of the former Yugoslavia, particularly in the Republic of Bosnia and Herzegovina,

Convinced that this heinous practice constitutes a deliberate weapon of war in fulfilling the policy of ethnic cleansing carried out by Serbian forces in the Republic of Bosnia and Herzegovina, and noting General Assembly resolution 47/121 of 18 December 1992, in which the Assembly stated, inter alia, that the abhorrent policy of ethnic cleansing was a form of genocide,

Desirous of ensuring that persons accused of authorizing, aiding and perpetrating rape and sexual violence as a weapon of war in the areas of armed conflict in the former Yugoslavia will be brought to justice without further delay by the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, where appropriate,

Underlining, in this context, the need for the protection of the rape victims and the provision of effective guarantees of privacy and confidentiality of the rape victims, and desirous of facilitating their participation in the proceedings of the Tribunal and ensuring that further traumatization will be prevented,

Deeply alarmed at the situation facing victims of rape in armed conflicts in different parts of the world and any use of rape as a weapon of war, in particular in the Republic of Bosnia and Herzegovina,

Noting with appreciation the efforts of Governments and the work of the United Nations High Commissioner for Refugees, the United Nations Educational, Scientific and Cultural Organization, humanitarian organizations, and non-governmental organizations aimed at supporting the victims of rape and abuse and alleviating their suffering,

Welcoming the report of the Secretary-General of 29 August 1995, 39/ submitted pursuant to resolution 49/205,

1. Strongly condemns the abhorrent practice of rape and abuse of women and children in the areas of armed conflict in the former Yugoslavia, which constitutes a war crime;

2. Expresses its outrage that the systematic practice of rape has been used as a weapon of war and an instrument of ethnic cleansing against women and children in the Republic of Bosnia and Herzegovina;

3. Reaffirms that rape in the conduct of armed conflict constitutes a war crime and that under certain circumstances it constitutes a crime against humanity and an act of genocide as defined in the Convention on the Prevention and Punishment of the Crime of Genocide, and calls upon States to take all measures required for the protection of women and children from such acts and to

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39/ A/50/329.

strengthen mechanisms to investigate and punish all those responsible and bring the perpetrators to justice;

4. Also reaffirms that all persons who perpetrate or authorize crimes against humanity or other violations of international humanitarian law are individually responsible for those violations and that those in positions of authority who have failed to ensure that persons under their control comply with the relevant international instruments are accountable, together with the perpetrators;

5. Reminds all States of their obligation to cooperate with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and the Office of the Prosecutor also in the investigation and prosecution of persons accused of using rape as a weapon of war;

6. Calls upon States to put experts, including experts in the prosecution of crimes of sexual violence, as well as adequate resources and services, at the disposal of the Chief Prosecutor and the Tribunal;

7. Urges all States and relevant organizations to continue to give serious consideration to the recommendations in the reports of the Special Rapporteur, in particular the recommendation concerning provision for the continuation of necessary medical and psychological care to victims of rape within the framework of programmes to rehabilitate women and children traumatized by war, as well as the provision of protection, counselling and support to victims and witnesses;

8. Recognizes the extraordinary suffering of the victims of rape and sexual violence and the necessity for an appropriate response to provide assistance to those victims, and expresses its concern, in particular, for the welfare of those victims who are currently among the internally displaced or otherwise affected by the war and who have experienced severe trauma and require psychosocial and other assistance;

9. Urges all States and all relevant intergovernmental and non-governmental organizations, as well as the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees, the United Nations High Commissioner for Human Rights, the United Nations Educational, Scientific and Cultural Organization and the World Health Organization, to continue to provide to the victims of such rape and abuse appropriate assistance for their physical and mental rehabilitation, and to extend their support to the community-based assistance programmes;

10. Demands that the parties cooperate fully with the International Committee of the Red Cross, the United Nations High Commissioner for Human Rights, the Special Rapporteur and her staff, as well as other mechanisms of the Commission on Human Rights, the United Nations High Commissioner for Refugees, the monitoring and other missions of the European Union and the Organization for Security and Cooperation in Europe, including by providing full access;

11. Encourages the new Special Rapporteur on the situation of human rights in the territory of the former Yugoslavia to continue to pay particular attention to the use of rape as a weapon of war, particularly in the Republic of Bosnia and Herzegovina;

12. Requests the Secretary-General to submit a report, as appropriate, to the General Assembly at its fifty-first session on the implementation of the present resolution;

13. Decides to continue its consideration of this question at its fifty-first session.

DRAFT RESOLUTION VI

Situation of human rights in the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro)

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, 40/ the International Covenants on Human Rights, 41/ the International Convention on the Elimination of All Forms of Racial Discrimination, 42/ the Convention on the Rights of the Child, 43/ the Convention on the Prevention and Punishment of the Crime of Genocide, 44/ the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 45/ the Convention on the Elimination of All Forms of Discrimination against Women 46/ and instruments of international humanitarian law, including the Geneva Conventions of 12 August 1949 for the protection of victims of war 47/ and the Additional Protocols thereto, of 1977, 48/ as well as the principles and commitments undertaken by States members of the Organization for Security and Cooperation in Europe,

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40/ Resolution 217 A (III).

41/ Resolution 2200 A (XXI), annex.

42/ Resolution 2106 A (XX), annex.

43/ Resolution 44/25, annex.

44/ Resolution 260 A (III).

45/ Resolution 39/46, annex.

46/ Resolution 34/180, annex.

47/ United Nations, Treaty Series, vol. 75, Nos. 970-973.

48/ Ibid., vol. 1125, Nos. 17512 and 17513.

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have under the human rights instruments to which they are party, and reaffirming also the obligation of all to respect international humanitarian law,

Welcoming the General Framework Agreement for Peace in Bosnia and Herzegovina 49/ initialled by the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro), representing also the Bosnian Serb party, at Dayton, Ohio, on 21 November 1995 which commits the parties to the conflict to ending the war and starting to build peace with justice; enables Bosnia and Herzegovina to continue its legal existence as a single State within its internationally recognized borders with full respect for its sovereignty, territorial integrity and political independence by its neighbours; and commits the parties in Bosnia and Herzegovina to respect fully human rights,

Welcoming also the basic agreement on the region of Eastern Slavonia, Baranja and Western Sirmium, 50/ signed on 12 November 1995 by the Government of the Republic of Croatia and the local Serb representatives,

None the less gravely concerned at the human tragedy that has occurred in the territories of the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) and at the massive and systematic violations of human rights and international humanitarian law,

Recalling its resolution 49/196 of 23 December 1994, Commission on Human Rights resolution 1995/89 of 8 March 1995, 51/ and all relevant resolutions of the Security Council,

Recalling specifically the relevant Security Council resolutions in which the Council demanded, inter alia, that all parties and others concerned in the former Yugoslavia immediately cease and desist from all breaches of international humanitarian law, requested the Secretary-General to establish a commission of experts to examine and analyse information relating to serious violations of such law being committed in the territory of the former Yugoslavia, established an international tribunal for the prosecution of persons responsible for such violations and condemned in particular the unacceptable practice of ethnic cleansing perpetrated in areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces,

Recalling additional relevant Security Council resolutions, in particular resolutions 824 (1993) of 6 May 1993 and 836 (1993) of 4 June 1993, in which the Council declared that Sarajevo, Tuzla, Žepa, Goražde, Bihać, Srebrenica and their surroundings should be treated as safe areas, that international

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49/ See A/50/790-S/1995/999.

50/ A/50/757-S/1995/951, annex.

51/ See Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

humanitarian agencies should be given free and unimpeded access to those areas and that there should be freedom of movement for the civilian population and humanitarian goods to, from and within the areas,

Recalling also Security Council resolution 1019 (1995) of 9 November 1995, in which the Council demanded that the Bosnian Serb party give immediate and unimpeded access to representatives of the United Nations High Commissioner for Refugees, the International Committee of the Red Cross and other international agencies to persons displaced and to persons detained or reported missing from Srebrenica, Žepa and the regions of Banja Luka and Sanski Most,

Gravely concerned at attacks and capture by the Bosnian Serbs and Croatian Serb forces of safe areas, in violation of the relevant Security Council resolutions,

Recalling Security Council resolution 1009 (1995) of 10 August 1995, in which the Council demanded that the Government of the Republic of Croatia respect fully the rights of the local Serb population, including their rights to remain, leave or return in safety, allow access to this population by international humanitarian organizations and create conditions conducive to the return of those persons who have left their homes,

Noting with appreciation the efforts of the United Nations Peace Forces to help to create the conditions for the peaceful settlement of the conflicts in the Republic of Bosnia and Herzegovina and the Republic of Croatia and to provide protection for the delivery of humanitarian aid and the protection of human rights, and also noting the obstacles faced by those forces in the performance of their mandates,

Acknowledging the progress made by the Bosnian Federation as a model for ethnic reconciliation in the region,

Encouraging the international community, acting through the United Nations and other international organizations as well as bilaterally, to enhance significantly humanitarian support for the people of the region and promote human rights, economic reconstruction, the repatriation of refugees and the holding of free elections in the Republic of Bosnia and Herzegovina,

Welcoming the efforts of the European Union to promote respect for human rights and fundamental freedoms, and endorsing the Special Rapporteur's recommendation that economic and other aid must be made conditional on meaningful progress on human rights,

Gravely concerned at the human rights violations in the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro), in particular at those committed in the context of the odious practice of ethnic cleansing, which has been the direct cause of the vast majority of human rights violations there and whose principal victims have been the Muslim population, as well as the Croats and others,

Also gravely concerned at reports, including by the Representative of the Secretary-General, of grave violations of international humanitarian law and of human rights in and around Srebrenica, and in the areas of Banja Luka and

Sanski Most, including reports of mass murder, unlawful detention and forced labour, rape and deportation of civilians,

Dismayed by the huge number of missing persons still unaccounted for, particularly in Bosnia and Herzegovina and in Croatia,

Deeply concerned by the situations reflected in the report of the Secretary-General on rape and abuse of women in the areas of armed conflict in the former Yugoslavia, 52/ and stressing the need for detailed reporting on this subject,

Alarmed that the conflict in the Republic of Bosnia and Herzegovina and in the Republic of Croatia has also been characterized by the systematic destruction and profanation of mosques, churches and other places of worship, religious buildings and sites of cultural heritage,

Expressing its particular concern for the situation of the children and the elderly as well as other vulnerable groups in the area,

Calling attention to the reports and recommendations of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the territories of the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro), including the most recent report 53/ by the newly appointed Special Rapporteur, Mrs. Elisabeth Rehn,

Expressing its deep appreciation for the activity and efforts of the previous Special Rapporteur, Mr. Tadeusz Mazowiecki, in the discharge of his mandate,

Noting the recommendations of the Special Rapporteur that respect for human rights should be given priority during and after the peace negotiations and that, without genuine improvements in the human rights situation in the area, any peace agreement will not have a solid foundation,

1. Commends both the former and the current Special Rapporteurs of the Commission on Human Rights on the situation of human rights in the territories of the Republic of Bosnia and Herzegovina, the Republic of Croatia, and the Federal Republic of Yugoslavia (Serbia and Montenegro) for their efforts, and notes that the presence of the Rapporteur can be a positive factor towards reducing the instances of all human rights violations in the region;

2. Expresses its outrage at the instances of massive and systematic violations of human rights and humanitarian law as described in the reports of the Special Rapporteur, including ethnic cleansing, killings, disappearances, torture, rape, detentions, beatings, arbitrary searches, destruction of houses, illegal evictions and other acts of violence aimed at forcing individuals from their homes;

52/ A/50/205.

53/ A/50/727-S/1995/933.

3. Condemns in the strongest terms all violations of human rights and international humanitarian law by the parties to the conflict, recognizing that the leadership in territories under the control of Serbs in the Republic of Bosnia and Herzegovina and formerly Serb-held areas of the Republic of Croatia, the commanders of Serb paramilitary forces and political and military leaders in the Federal Republic of Yugoslavia (Serbia and Montenegro) bear primary responsibility for most of those violations, and that persons who commit such acts will be held personally responsible and accountable;

4. Condemns the attacks on the safe areas of Srebrenica and Žepa by Bosnian Serb forces, which led to gross abuses of human rights and grave breaches of international humanitarian law and the disappearance of thousands of persons, as detailed in the reports of the former and the current Special Rapporteurs;

5. Also condemns the indiscriminate shelling of civilians in the safe areas of Sarajevo, Tuzla, Bihać and Goražde and the use of cluster bombs on civilian targets by Bosnian Serb and Croatian Serb forces;

6. Further condemns violations of human rights and international humanitarian law, including killings, the burning and looting of houses, the shelling of residential areas, harassment of and attacks on refugees, the elderly and the infirm perpetrated by members of the Croatian armed forces and civilians in the formerly Serb-controlled regions of Croatia during and subsequent to the military operations there in August 1995;

7. Welcomes the withdrawal of the heavy weapons surrounding Sarajevo following the decision to implement Security Council resolution 836 (1993), reinforced by the London Conference, to respond to attacks on safe areas, and notes that this opened Sarajevo to badly needed humanitarian relief;

8. Notes with appreciation the efforts of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, established pursuant to Security Council resolutions 806 (1993) of 5 February 1993 and 827 (1993) of 25 May 1993, notes the issuance of indictments against individuals, and urges that the Tribunal be given the resources it needs;

9. Requests States, as a matter of urgency, to continue to make available to the Tribunal expert personnel, adequate resources and services to aid in the investigation and prosecution of persons accused of having committed serious violations of international humanitarian law;

10. Reminds all States of their obligation under Security Council resolution 827 (1993) to cooperate with the Tribunal, including through compliance with requests for assistance and orders issued by a trial chamber of the Tribunal, and, in this regard, urges the parties to allow the establishment of offices of the Tribunal in their territories and draws the attention of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Croatia and the Republic of Bosnia and Herzegovina to their obligation to cooperate with the Tribunal, in particular to arrest, detain and facilitate the transfer to the

custody of the Tribunal any and all indicted war criminals who reside in or transit through or are otherwise present in their respective territories;

11. Demands that all parties refrain from any action intended to destroy, alter, conceal or damage any evidence of violations of human rights and international humanitarian law and that they preserve such evidence;

12. Expresses its complete support for the victims of violations of human rights and international humanitarian law, recognizes the right of refugees and displaced persons freely to return to their homes of origin in safety and dignity, to have restored to them property of which they were deprived in the course of hostilities since 1991 and to be compensated for any such property that cannot be restored to them, considers null any commitments made under duress, and urges all parties to fulfil their agreements to this end;

13. Condemns all deliberate obstruction of the delivery of food and medical and other supplies essential for the civilian population, which constitutes a serious violation of international humanitarian law and international human rights law, and of medical evacuations, and demands that all parties ensure that all persons under their control cease such acts;

14. Also condemns all attacks on the United Nations Peace Forces and on personnel working with the Office of the United Nations High Commissioner for Refugees and other humanitarian organizations by parties to the conflict;

15. Expresses its outrage that the systematic practice of rape has been used as a weapon of war against women and children and as an instrument of ethnic cleansing, and recognizes that rape in this context constitutes a war crime;

16. Condemns police violence against the non-Serb populations in Kosovo, the Sandjak, Vojvodina and other areas of the Federal Republic of Yugoslavia (Serbia and Montenegro), particularly the systematic acts of harassment, beatings, torture, warrantless searches, arbitrary detention and unfair trials, including those directed mainly against members of the Muslim population;

17. Strongly urges the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to take appropriate measures to respect fully all human rights and fundamental freedoms and to take urgent action to ensure the rule of law in order to prevent arbitrary evictions and dismissals and discrimination against any ethnic or national, religious and linguistic group, including in the fields of education and information;

18. Cautions against any attempts to use Serb refugees to alter the population balance in Kosovo, the Sandjak, Vojvodina and any other part of the country, thus further suppressing the enjoyment of human rights in those areas;

19. Strongly encourages all parties to fulfil the commitments made at Dayton, Ohio, to release without delay all civilians and combatants held in prison or detention in relation to the conflict, in conformity with international humanitarian law and the provisions of the General Framework Agreement for Peace in Bosnia and Herzegovina, and demands that the parties cooperate fully with the International Committee of the Red Cross, the Special

Rapporteur and her staff, the United Nations High Commissioner for Refugees, the United Nations High Commissioner for Human Rights, and the monitoring and other missions of the European Union and the Organization for Security and Cooperation in Europe;

20. Urges Member States to consider positively the Special Rapporteur's recommendation that economic and other aid must be made conditional on meaningful progress on human rights;

21. Recognizes that the Bosnian Federation should be further developed to serve as a model for ethnic reconciliation in the region;

22. Urges all parties, in particular the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro), to cooperate with the "Special Process" on missing persons in the territory of the former Yugoslavia established pursuant to paragraph 24 of Commission on Human Rights resolution 1994/72, 54/ and reiterated in resolution 1995/35, by disclosing information and documentation on inmates in prisons, camps and other places of detention;

23. Also urges all parties to provide full access for monitoring the human rights situation, including by allowing access to the missions of the Organization for Security and Cooperation in Europe, including in Kosovo, as called for by the General Assembly in its resolution 49/196 and by the Security Council in its resolution 855 (1993) of 9 August 1993, and in the Sandjak, Vojvodina and other affected areas, and requests that the Federal Republic of Yugoslavia (Serbia and Montenegro) permit the opening of a field office of the Centre for Human Rights as called for by the General Assembly in resolution 49/196;

24. Urges the Secretary-General to take all necessary steps to ensure the full and effective coordination of the activities of all United Nations bodies in implementing the present resolution, and urges those bodies concerned with the situation in the territories of Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) to coordinate closely with the United Nations High Commissioner for Human Rights, the Special Rapporteur and the Tribunal, and to provide to the Special Rapporteur on a continuing basis all relevant and accurate information in their possession on the situation of human rights in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro);

25. Draws attention to the need for an immediate and urgent investigation by qualified experts of several mass grave sites near Srebrenica and Vukovar and other mass grave sites and places where mass killings are reported to have taken place, and requests the Secretary-General, within existing resources, to make available the necessary means for this undertaking;

26. Urges the Secretary-General, within existing resources, to make all necessary resources available for the Special Rapporteur to carry out her mandate and in particular to provide her with adequate staff based in the

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54/ See Official Records of the Economic and Social Council, 1994, Supplement No. 4 and corrigendum (E/1994/24 and Corr.1), chap. II, sect. A.

territories of Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) to ensure effective continuous monitoring of the human rights situation there and coordination with other United Nations bodies involved, including the United Nations Peace Forces;

27. Welcomes the effort by the Government of Bosnia and Herzegovina to uphold human rights in its territory, and urges it to fulfil the human rights commitments it has made;

28. Notes with concern that many of the past recommendations of the Special Rapporteur have not been fully implemented, in some cases because of resistance by the parties on the ground, and urges the parties, all States and relevant organizations to give immediate consideration to them, in particular the calls of the former and the current Special Rapporteurs:

(a) For the de facto Bosnian Serb authorities to provide prompt access to humanitarian monitors to territories controlled by them, in particular to the Banja Luka region and to Srebrenica, emphasizing that the fate of thousands of missing persons from Srebrenica requires immediate clarification;

(b) For the Government of Croatia to fulfil its responsibilities to secure the human rights of the remaining ethnic Serb population in all recently retaken territories and to remove all legal and administrative hurdles which are preventing the return of refugees and displaced persons;

(c) For greater cooperation between Governments and non-governmental organizations, recognizing that the work and role of non-governmental organizations is vital to the promotion and protection of the rights of the individual and respect and protection of human rights in the region;

(d) For the Federal Republic of Yugoslavia (Serbia and Montenegro) to undertake measures to respect fully the rights of persons belonging to national or ethnic, religious and linguistic minorities;

29. Invites the Commission on Human Rights at its fifty-second session to request the Special Rapporteur to report to the General Assembly at its fifty-first session;

30. Decides to continue its examination of this question at its fifty-first session under the item entitled "Human rights questions".

DRAFT RESOLUTION VII

Situation of human rights in Myanmar

The General Assembly,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the

United Nations and elaborated in the Universal Declaration of Human Rights, 55/ the International Covenants on Human Rights 56/ and other applicable human rights instruments,

Aware that, in accordance with the Charter, the Organization promotes and encourages respect for human rights and fundamental freedoms for all and that the Universal Declaration of Human Rights states that the will of the people shall be the basis of the authority of government,

Recalling its resolution 49/197 of 23 December 1994,

Recalling also Commission on Human Rights resolution 1992/58 of 3 March 1992, 57/ in which the Commission, inter alia, decided to nominate a special rapporteur to establish direct contacts with the Government and with the people of Myanmar, including political leaders deprived of their liberty, their families and their lawyers, with a view to examining the situation of human rights in Myanmar and following any progress made towards the transfer of power to a civilian Government and the drafting of a new constitution, the lifting of restrictions on personal freedoms and the restoration of human rights in Myanmar,

Recalling further Commission on Human Rights resolution 1995/72 of 8 March 1995, 58/ in which the Commission decided to extend for one year the mandate of the Special Rapporteur,

Gravely concerned that the Government of Myanmar still has not implemented its commitment to take all necessary steps towards democracy in the light of the results of the elections held in 1990,

Noting the recent developments regarding the composition of the National Convention,

Welcoming the release without conditions, on 10 July 1995, of Nobel Peace Prize Laureate Aung San Suu Kyi and a number of other political prisoners, as called for by the General Assembly,

Also gravely concerned, however, at the continued violations of human rights in Myanmar, as reported by the Special Rapporteur, including killings of civilians, arbitrary arrest and detention, restrictions on freedoms of expression and association, torture, forced labour, forced portering, human rights abuses in border areas in the course of military operations, forced

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55/ Resolution 217 A (III).

56/ Resolution 2200 A (XXI), annex.

57/ See Official Records of the Economic and Social Council, 1992, Supplement No. 2 (E/1992/22), chap. II, sect. A.

58/ Ibid., 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

relocations and development projects, abuse of women and the imposition of oppressive measures directed in particular at ethnic and religious minorities,

Welcoming the continuing cooperation between the Government of Myanmar and the Office of the United Nations High Commissioner for Refugees on the voluntary repatriation of refugees from Bangladesh to Myanmar,

Noting, however, that the human rights situation in Myanmar has resulted in flows of refugees to neighbouring countries, thus creating problems for the countries concerned,

1. Expresses its appreciation to the Special Rapporteur of the Commission on Human Rights for his interim report on the situation of human rights in Myanmar; 59/

2. Also expresses its appreciation to the Secretary-General for his report; 60/

3. Deplores the continued violations of human rights in Myanmar;

4. Welcomes the release without conditions of Nobel Peace Prize Laureate Aung San Suu Kyi and other prominent political leaders;

5. Strongly urges the Government of Myanmar to release immediately and unconditionally detained political leaders and all political prisoners, to ensure their physical integrity and to permit them to participate in the process of national reconciliation;

6. Urges the Government of Myanmar to engage, at the earliest possible date, in a substantive political dialogue with Aung San Suu Kyi and other political leaders, including representatives of ethnic groups, as the best means of promoting national reconciliation and the full and early restoration of democracy;

7. Welcomes the discussions between the Government of Myanmar and the Secretary-General, and further encourages the Government of Myanmar to cooperate fully with the Secretary-General;

8. Again urges the Government of Myanmar, in conformity with its assurances given at various times, to take all necessary steps towards the restoration of democracy in accordance with the will of the people as expressed in the democratic elections held in 1990 and to ensure that political parties can function freely;

9. Expresses its concern that most of the representatives duly elected in 1990 are still excluded from participating in the meetings of the National Convention, created to prepare basic elements for the drafting of a new constitution, and that one of its objectives is to maintain the participation of

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59/ A/50/568.

60/ A/50/782.

the armed forces in a leading role in the future political life of the State, and notes with concern that the working procedures of the National Convention do not permit the elected representatives of the people freely to express their views;

10. Strongly urges the Government of Myanmar to take all appropriate measures to allow all citizens to participate freely in the political process in accordance with the principles of the Universal Declaration of Human Rights and to accelerate the process of transition to democracy, in particular through the transfer of power to democratically elected representatives;

11. Also strongly urges the Government of Myanmar to ensure full respect for human rights and fundamental freedoms, including freedom of expression and assembly, and the protection of the rights of persons belonging to ethnic and religious minorities, and to put an end to violations of the right to life and integrity of the human being, to the practices of torture, abuse of women, forced labour and forced relocations, and to enforced disappearances and summary executions;

12. Appeals to the Government of Myanmar to consider becoming a party to the International Covenant on Civil and Political Rights, 56/ the International Covenant on Economic, Social and Cultural Rights 56/ and the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment; 61/

13. Urges the Government of Myanmar to fulfil its obligations as a State party to the Forced Labour Convention, 1930 (No. 29), and to the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), of the International Labour Organization;

14. Stresses the importance for the Government of Myanmar to give particular attention to conditions in the country's jails and to allow the International Committee of the Red Cross to communicate freely and confidentially with prisoners;

15. Calls upon the Government of Myanmar to respect fully the obligations of the Geneva Conventions of 12 August 1949, 62/ and to make use of such services as may be offered by impartial humanitarian bodies;

16. Expresses its grave concern at the attacks by Myanmar army soldiers on the Karens and the Karennis during the past year, resulting in further refugee flows to a neighbouring country;

17. Welcomes the cessation of hostilities following the conclusion of cease-fire agreements between the Government of Myanmar and several ethnic groups;

18. Encourages the Government of Myanmar to create the necessary conditions to ensure an end to the movements of refugees to neighbouring

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61/ Resolution 39/46, annex.

62/ United Nations, Treaty Series, vol. 75, Nos. 970-973.

countries and to create conditions conducive to their voluntary return and their full reintegration, in conditions of safety and dignity;

19. Requests the Secretary-General to continue his discussions with the Government of Myanmar in order to assist in its efforts for national reconciliation and in the implementation of the present resolution, and to report to the General Assembly at its fifty-first session and to the Commission on Human Rights at its fifty-second session;

20. Decides to continue its consideration of this question at its fifty-first session.

DRAFT RESOLUTION VIII

Protection of and assistance to internally displaced persons

The General Assembly,

Deeply disturbed by the growing number of internally displaced persons throughout the world who receive inadequate protection and assistance, and conscious of the serious problems this is creating for the international community,

Recalling the relevant norms of international human rights instruments and of international humanitarian law,

Bearing in mind the Vienna Declaration and Programme of Action, 63/ adopted by the World Conference on Human Rights on 25 June 1993, which calls for a comprehensive approach by the international community with regard to refugees and displaced persons,

Reiterating its call for a more concerted response by the international community to the needs of internally displaced persons, while emphasizing that activities on their behalf must not undermine the institution of asylum,

Conscious of the continuing need for the United Nations system to gather information comprehensively on the issue of the protection of human rights of and assistance to internally displaced persons,

Welcoming the decision of the Commission on Human Rights in its resolution 1995/57 of 3 March 1995, 64/ in which it extended the mandate of the representative of the Secretary-General on internally displaced persons for another three years to continue his review of the need for protection of and assistance to internally displaced persons, including his compilation and

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63/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

64/ Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

analysis of legal norms, the root causes of internal displacement, prevention and long-term solutions,

Noting the progress made thus far by the representative of the Secretary-General in developing a legal framework, studying the causes and manifestations of internal displacement, and analysing institutional arrangements, undertaking dialogue with Governments, issuing a series of reports on particular country situations together with proposals for remedial measures, and raising the level of awareness, at both the national and international levels, to the problem of internal displacement,

Welcoming the cooperation already established between the representative of the Secretary-General and the United Nations humanitarian assistance and development organizations engaged in protecting and assisting internally displaced persons, as well as the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies and other relevant organizations,

Welcoming in particular the decision by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees to promote further consultations with the representative of the Secretary-General on the issue of internally displaced persons, as well as the decision by the Inter-Agency Standing Committee and its working group to invite the representative to participate in relevant meetings and in its Task Force on internally displaced persons,

Recalling the report of the representative of the Secretary-General submitted to the Commission on Human Rights at its fifty-first session, 65/ and the conclusions and recommendations contained therein with regard to improving protection of, assistance to and development for internally displaced persons,

1. Takes note with appreciation of the report of the representative of the Secretary-General; 66/

2. Commends the representative for the catalytic role he is playing to raise the level of consciousness about the plight of internally displaced persons;

3. Noting the efforts of the representative to develop a framework and to promote strategies for better protection, assistance and development for internally displaced persons;

4. Encourages the representative to continue his analysis of the causes of internal displacement, the needs of those displaced, measures of prevention and ways to increase protection, assistance and solutions for the internally displaced persons;

65/ E/CN.4/1995/50 and Add.1 and Add.1/Corr.1, Add.2 and Add.2/Corr.1, Add.3 and Add.4.

66/ A/50/558, annex.

5. Also encourages the representative to continue to pay specific attention in his review to the protection and assistance needs of women and children, bearing in mind the relevant strategic objective in the Beijing Declaration and Platform for Action, 67/ adopted by the Fourth World Conference on Women, held at Beijing from 4 to 15 September 1995;

6. Calls upon the representative to continue to study the problem of internally displaced persons and to invite, with the approval of Governments, specialists and consultants to contribute expert assistance during missions, and to make use of research facilities;

7. Invites the representative to finalize his compilation and analysis of existing legal norms for inclusion in his report to the Commission on Human Rights at its fifty-second session;

8. Calls upon the Commission on Human Rights to consider the question of establishing a framework in this regard on the basis of the report of the representative and the recommendations contained therein;

9. Calls upon all Governments to continue to facilitate the activities of the representative, encourages them to give serious consideration to inviting the representative to visit their countries so as to enable him to study and analyse more fully the issues involved, and thanks those Governments that have already done so;

10. Invites Governments to give due consideration, in dialogue with the representative, to the recommendations and suggestions made to them by him, in accordance with his mandate, and to inform him of measures taken thereon;

11. Urges all relevant United Nations humanitarian assistance and development organizations concerned to establish frameworks of cooperation with the representative so as to provide all possible assistance and support to him in the implementation of his programme of activities, and invites the representative to report thereon;

12. Calls upon the representative and regional intergovernmental organizations, such as the Organization of African Unity, the Organization of American States and the Organization for Security and Cooperation in Europe, to intensify their cooperation with a view to encouraging their undertaking initiatives to facilitate assistance to and protection of internally displaced persons;

13. Requests the Secretary-General to give all necessary assistance to the representative to carry out his mandate effectively;

14. Decides to continue its consideration of this question at its fifty-second session.

67/ Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995 (A/CONF.177/20), chap. I, resolution 1.

DRAFT RESOLUTION IX

Human rights in Haiti

The General Assembly,

Recalling its resolution 49/201 of 23 December 1994,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights 68/ and the International Covenants on Human Rights, 69/

Taking note of Commission on Human Rights resolution 1995/70 of 8 March 1995, 70/ in which the Commission requested the Secretary-General to appoint an independent expert with the mandate to furnish assistance to the Government of Haiti in the area of human rights, to examine the development of the situation of human rights in that country and to monitor the fulfilment by Haiti of its obligations in this field, and to submit a report to the General Assembly at its fiftieth session and to the Commission on Human Rights at its fifty-second session,

Recognizing the work carried out by the International Civilian Mission to Haiti for the defence of human rights and welcoming General Assembly resolution 49/27 B of 12 July 1995, in which it decided to authorize the extension of the mandate of the Mission,

1. Expresses its thanks for the efforts of the Secretary-General and his Special Representative in favour of the consolidation of democratic institutions in Haiti and the respect for human rights in that country;

2. Welcomes the satisfactory evolution of the political process in Haiti and the holding of legislative and municipal elections and the forthcoming presidential elections, in accordance with the Constitution, as indispensable elements in the strengthening of democratic institutions;

3. Takes note with appreciation of the report of the independent expert of the Commission on Human Rights, Mr. Adama Dieng, on the situation of human rights in Haiti 71/ and the recommendations contained therein;

4. Expresses its concern about the recent incidents of violence, in particular the assassination of a member of the Haitian Parliament, and hopes that such acts and other incidents of violence will not impede continued

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68/ Resolution 217 A (III).

69/ Resolution 2200 A (XXI), annex.

70/ See Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

71/ A/50/714, annex.

progress in the field of human rights and the consolidation of constitutional democracy;

5. Welcomes the establishment of the programme of technical cooperation prepared by the Centre for Human Rights of the Secretariat aimed at strengthening the institutional capacity in the field of human rights, particularly in the areas of legislative reform, training for justice administration personnel and human rights education;

6. Requests the Secretary-General, through the United Nations High Commissioner for Human Rights and the Centre for Human Rights, to take appropriate steps to ensure financial and technical resources for the implementation of such a programme;

7. Expresses its support for the work currently undertaken by the National Commission of Truth and Justice, with the cooperation of the International Civilian Mission in Haiti, in its investigation of past human rights abuses, and looks forward to its report at the end of 1995;

8. Decides to continue its consideration of the situation of human rights and fundamental freedoms in Haiti at its fifty-first session, on the basis of information provided by the Commission on Human Rights and the Economic and Social Council.

DRAFT RESOLUTION X

Situation of human rights in the Sudan

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, 72/ the International Covenants on Human Rights, 73/ the International Convention on the Elimination of All Forms of Racial Discrimination, 74/ and the Convention on the Rights of the Child, 75/

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to comply with the obligations laid down in the various instruments in this field,

Recalling the obligation by all parties to respect international humanitarian law,

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72/ Resolution 217 A (III).

73/ Resolution 2200 A (XXI), annex.

74/ Resolution 2106 A (XX), annex.

75/ Resolution 44/25, annex.

Also recalling its resolution 49/198 of 23 December 1994 and taking note of Commission on Human Rights resolution 1995/77 of 8 March 1995, 76/

Noting with deep concern reports of grave human rights violations in the Sudan, particularly summary executions, detentions without trial and forced displacement of persons and torture, as described in reports submitted to the Commission on Human Rights by the Special Rapporteur on the question of torture, the Special Rapporteur on extrajudicial, summary or arbitrary executions, and the Special Rapporteur on the question of religious intolerance,

Welcoming the third and latest interim report of the Special Rapporteur on the situation of human rights in the Sudan, 77/ and noting with concern the continuing violations of human rights in the Sudan,

Concerned about continuing indiscriminate and deliberate aerial bombardments by the Government of the Sudan of civilian targets in southern Sudan, in clear violation of international humanitarian law, which have added to the suffering of the civilian population and resulted in casualties to civilians, including relief workers,

Deeply concerned that access by the civilian population to humanitarian assistance continues to be impeded, which represents a threat to human life and constitutes an offence to human dignity,

Expressing the hope that the continuing dialogue between the Government of the Sudan and other parties and donor Governments, Operation Lifeline Sudan and international private voluntary agencies will result in improved cooperation for the delivery of humanitarian assistance to all persons in need,

Alarmed by the large number of internally displaced persons and victims of discrimination in the Sudan, including members of ethnic minorities who have been forcibly displaced in violation of their human rights and who are in need of relief assistance and protection,

Alarmed also by the mass exodus of refugees into neighbouring countries and conscious of the burden that this places on those countries, but expressing its appreciation for the efforts of host countries and of the international community to assist the refugees,

Deeply concerned by the conclusion of the Special Rapporteur, also stated in his previous reports, that grave and widespread violations of human rights by government agents, as well as abuses by members of parties to the conflict in southern Sudan other than the Government of the Sudan, continue to take place, including extrajudicial killings, enforced or involuntary disappearances,

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76/ See Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

77/ A/50/569, annex.

abductions, slavery, systematic torture and widespread arbitrary arrests of suspected political opponents, 78/

Alarmed by the continuing failure of the Sudanese authorities to investigate human rights violations and abuses brought to their attention over the past years,

Gravely alarmed that since February 1994 there have been increasing reports from a wide variety of sources indicating that atrocities by the Government of the Sudan against the local population in the area of the Nuba Mountains have intensified,

Concerned by reports of religious persecution in areas of the conflict zone controlled by the Government of the Sudan, and discrimination based upon religion in the provision of shelter and relief,

Deeply concerned by the Special Rapporteur's conclusion that the abduction of persons, mainly women and children, belonging to ethnic and religious minorities from southern Sudan, the Nuba Mountains and the Ingassema Hills area, and their subjection to the slave trade, servitude and forced labour are taking place with the knowledge of the Government of the Sudan, 79/

Also deeply concerned about the problem of unaccompanied minors and the use of children as soldiers by all parties despite repeated calls from the international community to put an end to this practice, as described in the report of the Special Rapporteur,

Recognizing the fact that the Sudan has been hosting large numbers of refugees from several neighbouring countries over the past three decades,

Welcoming the release of some of the political prisoners by the Government of the Sudan in August 1995, and noting its recent announcement of open, free and fair elections in 1996,

Also welcoming the efforts of the United Nations and other humanitarian organizations to provide humanitarian relief to those Sudanese in need,

Welcoming the dialogues and contacts between non-governmental organizations and the religious minorities in the Sudan, aimed at developing a more balanced relationship between the Government of the Sudan and the religious minority groups,

1. Expresses deep concern at the serious, widespread and continuing human rights violations in the Sudan, including extrajudicial killings and summary executions; detentions without due process; forced displacement of persons; enforced or involuntary disappearances; torture and other forms of cruel and unusual punishment; slavery, practices similar to slavery and forced labour; and denial of the freedoms of expression, association and peaceful assembly;

78/ Ibid., para. 72.

79/ Ibid., para. 75.

2. Urges the Government of the Sudan to investigate without delay the cases of slavery, servitude, slave trade, forced labour and similar practices brought to its attention and to take all appropriate measures to put an immediate end to these practices;

3. Takes note with appreciation of the interim report of the Special Rapporteur;

4. Welcomes the recommendation of the Special Rapporteur that human rights monitors be placed at the earliest possible date in such locations as will facilitate improved information flow and assessment and independent verification of reports on the situation of human rights in the Sudan; 80/

5. Calls upon the Government of the Sudan to comply with applicable international human rights instruments to which the Sudan is a party, in particular the International Covenants on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child, the Slavery Convention, as amended, 81/ and the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, 82/ to implement those instruments to which it is a party and to ensure that all individuals in its territory and subject to its jurisdiction, including members of all religious and ethnic groups, enjoy fully the rights recognized in those instruments;

6. Urges the Government of the Sudan to cease immediately all aerial attacks on civilian targets and other attacks that are in violation of international humanitarian law;

7. Calls upon parties to the hostilities to respect fully the applicable provisions of international humanitarian law, including article 3 common to the Geneva Conventions of 12 August 1949, 83/ and the Additional Protocols thereto, of 1977, 84/ to halt the use of weapons against the civilian population and to protect all civilians, including women, children and members of ethnic and religious minorities, from violations, including forcible displacement, arbitrary detention, ill-treatment, torture and summary executions, and deplores the consequences for innocent civilians of the use of land-mines by government and rebel forces alike;

8. Again calls upon the Government of the Sudan and all parties to permit international agencies, humanitarian organizations and donor Governments to deliver humanitarian assistance to the civilian population and to cooperate with

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80/ Ibid., para. 82 (j).

81/ United Nations, Treaty Series, vol. 212, No. 2861.

82/ Ibid., vol. 266, No. 3822.

83/ Ibid., vol. 75, Nos. 970-973.

84/ Ibid., vol. 1125, Nos. 17512 and 17513.

the initiatives of the Department of Humanitarian Affairs of the Secretariat and United Nations agencies working in the field, in particular Operation Lifeline Sudan, to deliver humanitarian assistance to all persons in need;

9. Reiterates its call upon the Government of the Sudan to ensure a full, thorough and prompt investigation by an independent judicial inquiry commission of the killings of Sudanese nationals employed by foreign relief organizations and foreign Governments;

10. Welcomes the decision of the Commission on Human Rights to extend the mandate of the Special Rapporteur for an additional year;

11. Requests the Secretary-General to continue to provide the Special Rapporteur with all necessary assistance in the discharge of his mandate;

12. Deplores the Government of the Sudan's continuing refusal to cooperate in any manner with the Special Rapporteur, and the unacceptable threats against his person;

13. Calls upon the Government of the Sudan to extend its full and unreserved cooperation to the Special Rapporteur and to assist him in the ongoing discharge of his mandate and, to this end, to take all necessary steps to ensure that the Special Rapporteur has free and unlimited access to any person in the Sudan with whom he wishes to meet, with no threats or reprisals;

14. Invites the Special Rapporteurs of the Commission on Human Rights on religious intolerance and on freedom of expression to consult with the Special Rapporteur on the situation of human rights in the Sudan and to consider and report on the situation in the Sudan, and calls upon the Government of the Sudan to extend them its full cooperation, including inviting them to visit the Sudan;

15. Recommends the continued monitoring of the serious human rights situation in the Sudan and of the regional efforts to end the hostilities and human suffering in the south, and invites the Commission on Human Rights at its fifty-second session to give urgent attention to the situation of human rights in the Sudan;

16. Decides to continue its consideration of this question at its fifty-first session.

DRAFT RESOLUTION XI

Situation of human rights in Cuba

The General Assembly,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations and elaborated in the Universal Declaration of Human

Rights, 85/ the International Covenants on Human Rights 86/ and other applicable human rights instruments,

Reaffirming also that all States have an obligation to fulfil the commitments they have freely undertaken under the various international instruments,

Taking particular note of Commission on Human Rights resolution 1995/66 of 7 March 1995, 87/ in which the Commission recognized with deep appreciation the efforts of the Special Rapporteur to carry out his mandate concerning the situation of human rights in Cuba,

Expressing concern about continuing serious violations of human rights in Cuba, of which the majority are violations of civil and political rights, as outlined in the interim report on the situation of human rights in Cuba submitted to the General Assembly by the Special Rapporteur, 88/

Welcoming the authorization granted to a delegation comprising representatives of four international human rights organizations to visit Cuba and encouraging the Government of Cuba to grant further access to such organizations,

Also welcoming the release of a number of political prisoners,

Recalling the continued failure of the Government of Cuba to cooperate with the Commission on Human Rights with regard to its resolution 1995/66, including its refusal to permit the Special Rapporteur to visit Cuba,

1. Commends the Special Rapporteur of the Commission on Human Rights for his interim report on the situation of human rights in Cuba;

2. Expresses its full support for the work of the Special Rapporteur;

3. Calls once more upon the Government of Cuba to cooperate fully with the Special Rapporteur by permitting him full and free access to establish contact with the Government and the citizens of Cuba so that he may fulfil the mandate entrusted to him;

4. Regrets profoundly the numerous violations of human rights and fundamental freedoms in Cuba, as described in the report of the Special Rapporteur to the Commission on Human Rights 89/ and in his interim report;

85/ Resolution 217 A (III).

86/ Resolution 2200 A (XXI), annex.

87/ See Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

88/ A/50/663.

89/ E/CN.4/1995/52.

5. Urges the Government of Cuba to ensure freedom of expression and assembly, and the freedom to demonstrate peacefully, including by allowing political parties and non-governmental organizations to function freely in the country, and by reforming legislation in this area;

6. Welcomes the ratification by the Government of Cuba of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment; 90/

7. Calls especially upon the Government of Cuba to release the numerous persons detained for activities of a political nature, including those specifically mentioned in the report of the Special Rapporteur who suffer from inadequate medical care while imprisoned or whose rights as journalists or jurists are impeded or denied;

8. Calls upon the Government of Cuba to adopt the other measures proposed in the interim report of the Special Rapporteur to bring the observance of human rights and fundamental freedoms in Cuba into conformity with international law and international human rights instruments and to end all violations of human rights by, inter alia, ratifying and effectively implementing those international human rights instruments to which it is not yet party, ceasing the persecution and punishment of citizens for reasons related to freedom of expression and peaceful association, respecting due process, and granting permission for access to the prisons by non-governmental humanitarian organizations and international humanitarian agencies;

9. Decides to continue its consideration of this question at its fifty-first session.

DRAFT RESOLUTION XII

Situation of human rights in Nigeria

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, 91/ the International Covenants on Human Rights, 92/ the Vienna Declaration and Programme of Action 93/ and other human rights instruments,

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90/ Resolution 39/46, annex.

91/ Resolution 217 A (III).

92/ Resolution 2200 A (XXI), annex.

93/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

Reaffirming that all Member States have the duty to fulfil the obligations they have freely undertaken under the various international instruments in this field,

Mindful that Nigeria is a party to the International Covenant on Civil and Political Rights, 92/

Expressing concern that the absence of representative government in Nigeria has led to violations of human rights and fundamental freedoms, and recalling in this regard the popular support for democratic rule as evidenced in the 1993 elections,

Noting with interest that the Government of Nigeria, on 1 October 1995, affirmed the principle of multi-party democracy, announcing its intent to accept the principle of power-sharing, lift the ban on political activity and the press, devolve power to local levels of government and subordinate the military to civilian authority, but disappointed that only limited action in this regard has followed,

Noting with alarm the recent arbitrary executions of nine persons, namely Ken Saro-Wiwa, Barinem Kiobel, Saturday Dobee, Paul Levura, Nordu Eawo, Felix Nwate, Daniel Gbokoo, John Kpuimen and Baribor Bera,

Noting the decision of the Commonwealth Heads of Government to suspend Nigeria from membership in the Commonwealth,

Noting also the decisions of the European Union, as well as those of other States or groups of States with regard to Nigeria,

Deeply concerned about the human rights situation in Nigeria and the suffering caused thereby to the people of Nigeria,

1. Condemns the arbitrary execution, after a flawed judicial process, of Ken Saro-Wiwa and his eight co-defendants, and emphasizes that everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial with all the guarantees necessary for defence;

2. Expresses its deep concern about other violations of human rights and fundamental freedoms in Nigeria, and calls upon the Government of Nigeria urgently to ensure their observance, in particular by restoring habeas corpus, releasing all political prisoners, guaranteeing freedom of the press and ensuring full respect for the rights of all individuals, including trade unionists and persons belonging to minorities;

3. Calls upon the Government of Nigeria to abide by its freely undertaken obligations under the International Covenant on Civil and Political Rights and other international instruments on human rights;

4. Urges the Government of Nigeria to take immediate and concrete steps to restore democratic rule;

5. Welcomes the decisions by the Commonwealth and other States individually or collectively to take various actions designed to underline to the Government of Nigeria the importance of return to democratic rule and observance of human rights and fundamental freedoms, and expresses the hope that these actions and other possible actions by other States, consistent with international law, will encourage the Government of Nigeria to achieve that specific purpose;

6. Invites the Commission on Human Rights at its fifty-second session to give urgent attention to the situation of human rights in Nigeria, and recommends, in this regard, that its relevant mechanisms, in particular the Special Rapporteur on summary or arbitrary executions, report to the Commission prior to its next session;

7. Requests the Secretary-General, in the discharge of his good offices mandate and in cooperation with the Commonwealth, to undertake discussions with the Government of Nigeria and to report on progress in the implementation of the present resolution and on the possibilities for the international community to offer practical assistance to Nigeria in achieving the restoration of democratic rule.

DRAFT RESOLUTION XIII

Situation of human rights in Rwanda

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, 94/ the International Covenants on Human Rights, 95/ the Convention on the Prevention and the Punishment of the Crime of Genocide 96/ and other applicable human rights and humanitarian law standards,

Recalling its resolution 49/206 of 23 December 1994 and Commission on Human Rights resolution 1995/91 of 8 March 1995, 97/ in which the Commission renewed the mandate of the Special Rapporteur to investigate the human rights situation in Rwanda,

Welcoming the commitments of the Government of Rwanda to protect and promote respect for human rights and fundamental freedoms and to eliminate impunity, recalling the efforts to restore the rule of law and reconstruct the civil administration and the social, legal and human rights infrastructure, and noting that these efforts are hampered by a lack of resources,

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94/ Resolution 217 A (III).

95/ Resolution 2200 A (XXI), annex.

96/ Resolution 260 A (III).

97/ Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

Noting the concerns of the Special Rapporteur, as set out in his report of 28 June 1995, 98/ that the human rights situation is exacerbated by the insufficient system for the administration of justice, characterized by a shortage of both human and material means, and that there are threats and violence against the physical integrity of individuals, arrest, detention and treatment and conditions of detention, which do not conform to international standards,

Expressing its grave concern at the tragedy of Kibeho in April 1995, and recalling the conclusions of the International Commission of Inquiry in its report of 18 May 1995,

Recalling the obligations of all States to punish all persons who commit or authorize genocide or other grave violations of international humanitarian law or those who are responsible for grave violations of human rights and, pursuant to Security Council resolution 978 (1995) of 27 February 1995, to exert every effort, without delay, to bring those responsible to justice in accordance with international principles of due process, and to honour their obligations under international law in this regard, particularly under the Convention on the Prevention and Punishment of the Crime of Genocide,

Welcoming the measures taken by the United Nations High Commissioner for Human Rights to put in place the human rights field operation in Rwanda and to coordinate its activities with those of the Special Representative of the Secretary-General, the United Nations High Commissioner for Refugees, the United Nations Development Programme, the United Nations Assistance Mission for Rwanda, the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, the Department of Humanitarian Affairs of the Secretariat, and other United Nations agencies and intergovernmental and non-governmental organizations, and the International Committee of the Red Cross,

Recognizing the valuable contribution that the human rights officers deployed by the United Nations High Commissioner for Human Rights to Rwanda have made towards the improvement of the overall situation,

Deeply concerned by the reports of the Special Rapporteur and the United Nations High Commissioner for Human Rights, according to which genocide and systematic, widespread and flagrant violations of international humanitarian law, including crimes against humanity and grave violations and abuses of human rights, were committed in Rwanda,

Welcoming the policy of the Government of Rwanda to facilitate the process of voluntary and safe return, resettlement and reintegration of refugees, as

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98/ A/50/709-S/1995/915, annex III.

reaffirmed in the Cairo Declaration on the Great Lakes Region of 29 November 1995, 99/

Noting the United Nations support for all efforts to reduce tension and restore stability in the Great Lakes region, and supporting initiatives of the Secretary-General in this regard, particularly implementing the Cairo Declaration on the Great Lakes Region, and continuing consultations with the aim of convening a conference on security, stability and development in the Great Lakes region, as appropriate,

Recalling Security Council resolution 1029 (1995) of 12 December 1995, in which the Council renewed the mandate of the United Nations Assistance Mission for Rwanda to exercise its good offices to assist in achieving the voluntary and safe repatriation of Rwandan refugees within the frame of reference of the recommendations of the Bujumbura Conference and the Cairo Summit of the Heads of State of the Great Lakes Region, and in promoting genuine national reconciliation, to assist the Office of the United Nations High Commissioner for Refugees and other international agencies in the provision of logistical support for the repatriation of refugees, to contribute, with the agreement of the Government of Rwanda, to the protection of the International Tribunal for Rwanda as an interim measure until alternative arrangements agreed with the Government of Rwanda can be put in place,

Acknowledging the responsibility of the Government of Rwanda for the safety and security of all personnel attached to the United Nations Assistance Mission for Rwanda, United Nations agencies and humanitarian organizations and other international staff operating in the country,

Recognizing the important role played by non-governmental organizations in providing humanitarian assistance and contributing to the reconstruction and rehabilitation of Rwanda,

Recognizing also that effective action must be taken to ensure that the perpetrators of genocide and crimes against humanity are promptly brought to justice,

Recognizing further that effective action to prevent further violations of human rights and fundamental freedoms must be a central and integral element of the overall Rwandan and United Nations responses to the situation in Rwanda and that a strong human rights component is indispensable to the political peace process and the post-conflict reconstruction of Rwanda,

1. Welcomes the report of the United Nations High Commissioner for Human Rights on the human rights field operation in Rwanda, 100/ and recalls the reports of the Special Rapporteur of the Commission on Human Rights on

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99/ S/1995/1001, annex.

100/ A/50/743, annex.

violations committed during the tragedy in Rwanda and on the current situation of human rights in Rwanda; 101/

2. Condemns in the strongest terms the acts of genocide, violations of international humanitarian law and all violations and abuses of human rights that occurred during the tragedy in Rwanda, especially following the events of 6 April 1994, and which resulted in a massive loss of human life, up to one million people;

3. Expresses its deep concern at the intense suffering of the victims of genocide and crimes against humanity, recognizes the ongoing suffering of their survivors, particularly the extremely high number of traumatized children and women victims of rape and sexual violence, and urges the international community to provide adequate assistance to them;

4. Condemns the killing of personnel attached to the United Nations Assistance Mission for Rwanda, United Nations agencies and humanitarian organizations operating in the country, including Rwandan personnel working with them;

5. Calls upon the Government of Rwanda to take all necessary measures to ensure the safety and security of all personnel attached to the United Nations Assistance Mission for Rwanda, United Nations agencies and humanitarian organizations and other international staff operating in the country;

6. Reaffirms that all persons who commit or authorize genocide or other grave violations of international humanitarian law or those who are responsible for grave violations of human rights are individually responsible and accountable for those violations;

7. Urges all States, pursuant to Security Council resolution 978 (1995), to exert, without delay, every effort, including arrest and detention, in order to bring those responsible to justice in accordance with international principles of due process, and also urges States to honour their obligations under international law in this regard, particularly under the Convention on the Prevention and Punishment of the Crime of Genocide;

8. Recognizes that effective action must be taken by all States concerned to ensure that the perpetrators of genocide and crimes against humanity are promptly brought to justice, and urges all States concerned to cooperate fully with the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, taking into account the obligations contained in Security Council resolutions 955 (1994) of 8 November 1994 and 978 (1995), and to intensify efforts for the effective functioning of the Tribunal without delay;

101/ A/50/709-S/1995/915, annexes I-III.

9. Commends the efforts of the United Nations High Commissioner for Human Rights, working in cooperation with and assisting the Government of Rwanda, to ensure that human rights monitoring, a comprehensive programme of human rights assistance and confidence-building measures form integral parts of Rwandan and United Nations efforts aimed at conflict prevention and peace-building in Rwanda, drawing as appropriate on the expertise and capacities of all parts of the United Nations system, thus contributing to the promotion and protection of human rights in Rwanda;

10. Encourages the Government of Rwanda, in a spirit of national reconciliation, to intensify efforts to protect and promote respect for human rights and fundamental freedoms and to create an environment conducive to the realization of civil, political, economic, social and cultural rights, and the voluntary and safe return of refugees to their homes;

11. Takes note with concern of the findings of the Special Rapporteur as set out in his report of 28 June 1995, and of the Human Rights Field Operation in Rwanda, that the human rights situation is exacerbated by the insufficient system for the administration of justice, characterized by a shortage of both human and material means;

12. Notes with concern the arrest, detention and treatment and conditions of detention that do not conform to international standards, as set out in the report of the Special Rapporteur;

13. Also notes with concern that a situation still exists, evidenced by reports of threats and violence against the physical integrity of individuals, which is sometimes exacerbated by incursions;

14. Urges Governments in the region to take measures to prevent their territory from being used to pursue a strategy of destabilization of Rwanda, and, in this regard, urges all States concerned to cooperate fully with the International Commission of Inquiry on arms flows in the Great Lakes region, established in pursuance of Security Council resolution 1013 (1995) of 7 September 1995;

15. Condemns the mass killings of civilians at Kibeho in April 1995, recalls the conclusions of the International Commission of Inquiry in its report of 18 May 1995, and expresses its grave concern at the events in Kanama in September 1995;

16. Welcomes the efforts of the Government of Rwanda to reconstruct the civil administration and the social, legal, economic and human rights infrastructure of Rwanda, encourages the Government to intensify its efforts, with the assistance of the international community, the Human Rights Field Operation in Rwanda and other United Nations bodies, to expedite the processing of cases, to ensure conditions and treatment in detention in conformity with international standards, and to train civilian police in the legal procedures governing arrest and detention, and notes that efforts in this regard are hampered by a lack of human and financial resources;

17. Invites Member States, the organizations and bodies of the United Nations system and intergovernmental and non-governmental organizations to

continue and intensify their efforts to contribute financial and technical support to the efforts of the Government of Rwanda to reconstruct the civil administration and the social, legal, economic and human rights infrastructure of Rwanda, particularly in the areas of the administration of justice, and welcomes the contributions made, including those at the Round Table Conference at Geneva and its mid-term review, and urges States and donor agencies to fulfil their earlier commitments;

18. Condemns all violence and intimidation against persons in the refugee camps in neighbouring countries, calls upon the appropriate authorities to ensure security in such camps, and welcomes the commitments undertaken by the Governments in the region in the Cairo Declaration on the Great Lakes Region of 29 November 1995;

19. Welcomes the joint efforts of the Government of Rwanda, neighbouring countries and the United Nations High Commissioner for Refugees to assist the voluntary and safe return of refugees through, inter alia, the work of the Tripartite Commission and the agreements reached at Nairobi in January 1995, Bujumbura in February 1995 and Cairo in November 1995, and welcomes also the efforts of the United Nations High Commissioner for Refugees, the United Nations High Commissioner for Human Rights, the United Nations Assistance Mission for Rwanda and the United Nations Development Programme to coordinate their efforts to ensure protection of the human rights of refugees during their return, resettlement and reintegration;

20. Also welcomes the measures taken by the United Nations High Commissioner for Human Rights, working in cooperation with and assisting the Government of Rwanda, to put in place the Human Rights Field Operation in Rwanda, which has as its objective:

(a) The investigation of violations of human rights and humanitarian law, including acts of genocide and crimes against humanity;

(b) The monitoring of the human rights situation and the prevention of future violations;

(c) Cooperation with other international agencies in re-establishing confidence and thus facilitating the voluntary return and resettlement of refugees and displaced persons;

(d) The rebuilding of civil society, through programmes of human rights education and technical cooperation, particularly in the areas of the administration of justice and conditions of arrest, detention and treatment in detention, and through programmes of cooperation with Rwandan human rights organizations;

and requests the High Commissioner to report regularly on all of these activities of the Field Operation and to cooperate and share information with the Special Rapporteur in order to assist him in fulfilling his mandate;

21. Further welcomes the cooperation the Government of Rwanda has extended to the United Nations High Commissioner for Human Rights, the Human Rights Field Operation in Rwanda and the Special Rapporteur and the acceptance by the

Government of Rwanda of the deployment of human rights field officers throughout the country;

22. Requests the Secretary-General to take appropriate steps to ensure adequate financial and human resources and logistical support for the Human Rights Field Operation in Rwanda, taking into account the need to deploy a sufficient number of human rights field officers and the need for programmes of technical assistance and advisory services for the Government of Rwanda and Rwandan human rights organizations, especially in the field of the administration of justice;

23. Requests the United Nations High Commissioner for Human Rights to report on the activities of the Human Rights Field Operation in Rwanda to the Commission on Human Rights at its fifty-second session and to the General Assembly at its fifty-first session.

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77. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

Documents considered by the General Assembly in connection with human rights questions: human rights situations and reports of special rapporteurs and representatives

The General Assembly takes note of the following documents:

(a) Report of the Secretary-General on rape and abuse of women in areas of armed conflict in the former Yugoslavia; 102/

(b) Report of the Secretary-General on the situation of human rights in southern Lebanon and the western Bekaa. 103/

102/ A/50/329.

103/ A/50/662.